

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.34 of 2015

Arising Out of PS. Case No.-707 Year-2014 Thana- BETTIAH CITY District- West
Champaran

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M/s S.n.supply Agency, Hotel Arti Through Owner Santosh Kumar Pushkar
Son of Vishwanath Prasad, Residing at Mohalla Raza Bazar, Motihari,
District - East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Director General Of Police, Bihar, Patna and Ors
2. The Director General of Police, Bihar, Patna.
3. The Director in Chief, Health Services Bihar, Patna.
4. The District Magistrate, West Champaran, Bettiah.
5. the Superintendent of Police, West Champaran, Bettiah.
6. The Officer Incharge, Nagar Police Station, West Champaran, Bettiah.
7. The Civil Surgeon-Cum-Chief Medical Officer, West Champaran, Bettiah.
8. Dr. Arun Kumar Sinha, Incharge Medical Officer cum Incharge Officer, Civil SurgeonMedicine Stock, West Champaran, Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra
For the Respondent/s : Mr. J.P. Karn Aag-4

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 21-02-2023

Heard the parties.

For the supply of medicine made in 28.03.2011 and
the present F.I.R. was registered on 25.11.2014.

It has been submitted by the learned counsel for the
petitioner that the petitioner had participated in the tender, he
was declared L1 in the tender, and thereafter, he supplied the
medicine which was accepted by the authorities. After three
years, due to malafide intention just to save their own skin, the
authorities have filed this F.I.R. as it was learnt that the
medicine in question was banned by the Government of India.



Still tender was floated by the authorities. On specific query, as to whether the persons who had floated the tender have been made accused or not learned counsel for the State submits that they have not been prosecuted by the State.

It seems that the authorities are acting malafide just to save their own skin.

Considering the delay in lodging the F.I.R. and the fact that the petitioner had participated in the tender, and thereafter being L1 has supplied the medicine, this application is allowed. The F.I.R. of Bettiah Town P.S. Case No. 707 of 2014 is hereby quashed.

(Sandeep Kumar, J)

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