

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23136 of 2017

Arising Out of PS. Case No.-11 Year-2016 Thana- NAANPUR District- Sitamarhi

FAKHRE IMAM AHMAD @ FAKHRE IMAM Son of Late Muzaffar Imam,
Resident of Village- Balasath, P.S.- Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Kanti Devi, Wife of Mahendra Thakur, Resident of Village- Bahaul, P.S.- Nanpur, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 12-05-2023 Heard learned counsel for petitioner and learned
Additional Public Prosecutor.

This application is being filed under Section 482 of Cr.P.C. to quash the order dated 15.03.2017 by which learned S.D.J.M. Pupri, Sitamarhi has taken cognizance for the offence punishable under Section 307, 429/34 of Indian Penal Code 11(1)(a) Prevention of Cruelty to Animals Act, 27 Arms Act in connection with Nanpur P.S. Case No. 11 of 2016 dated 10.01.2016.

The prosecution story in short is that informant was cutting grass in her field. All of sudden she saw four persons chasing a Neelgai. One of the person fired bullet which hit the



Nilgai and another person fired bullet again which hit the leg of the informant. The accused person was caught at the spot and was handed over to the police.

In paragraph 3 of the Counter affidavit, the informant has stated that “*That it is humbly submitted that the petitioner was not named in the FIR which was registered against unknown accused*”

If the informant is not supporting the case, there is no justification to continue with the prosecution. Accordingly, the order dated 15.03.2017 passed in connection with Nanpur P.S. Case No. 11 of 2016 dated 10.01.2016 is hereby quashed.

(Sandeep Kumar, J)

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