

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1785 of 2019

Arising Out of PS. Case No.-547 Year-2019 Thana- MOTIHARI TOWN District- East
Champaran

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MANOJ KUMAR MISHRA Son of Late Vinda Mishra Resident of Village -
Jogiya Tola, P.S.- Sirsiya, Distt.- West Champaran, at Present resident of
Village - Pujaha, P.S.- Sri Nagar, Dist.- West Chamaparan.

... .. Petitioner

Versus

1. The State of Bihar Through The Principal Sectt. Deptt. Of Home(P) Govt.
Of Bihar Patna
2. The Director Generral Cum Inspector General of Police, Bihar, Patna. Bihar
3. The Superintendent of Police, East Champaran, Motihari. Bihar
4. The S.H.O. Motihari Town Police Station. Bihar
5. The Investigatin Officer, Motihari Town Police Station. Bihar
6. Raj Kumar Singh C.M.D. of MHT Developers Private Ltd. Company,
Resident of Sri Krishna Nagar Near Gupta Coaching, Police Station -
Motihari Town, Distt.- East Champaran.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Milind Kumar Mishra, Advocate
For the Respondent/s	:	Mr. M. Nasrul Huda Khan, S.C.-1
		Ms. Babita Kumari, A.C. to S.C.-1

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 29-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

This application has been filed for quashing of
F.I.R. vide Motihari Town P.S. Case No.547 of 2019, registered
for the offences under Sections 467, 468, 471, 406, 420/34 of
the Indian Penal Code.

As per the F.I.R. the informant is the C.M.D of
MHT Developers Private Limited. It is alleged that petitioner



and co-accused executed an agreement with the said company that they will arrange 40 Bighas of land from farmers. Thereafter, the said company transferred Rs.1,11,95,000/- in the accounts of agents and farmers identified by the petitioner and co-accused but neither the lands were transferred nor the aforesaid amount was returned.

From reading of the F.I.R., it appears that there are serious allegations against the petitioner and *prima facie* case is made out against the petitioner.

Considering the aforesaid facts and also the law laid down by the Hon'ble Supreme Court in the case of *M/s Neeharika Infrastructure Pvt. Ltd. vs. State of Maharashtra and others* reported in (2020) 10 SCC 118, this application is dismissed.

(Sandeep Kumar, J)

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