

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25877 of 2023

Arising Out of PS. Case No.-20 Year-2020 Thana- MAHILA THANA District- Begusarai

Bal Govind Mishra Son of Late Ram Ekbal Mishra R/V- Adarsh Nagar
(Ullao) PS- Singhoul, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 26-11-2024 Heard learned counsel for the parties.

2. This application has been filed for quashing of the order dated 01.06.2022, passed by learned S.D.J.M., Begusarai in Trial No. 212 of 2022 arising out of Mahila P.S. Case No. 20 of 2020 registered under Sections 354, 354A, 354D and 506 of the Indian Penal Code whereby and whereunder cognizance has been taken under Sections 354, 354A, 354D and 506 of the Indian Penal Code against the petitioner and summon was ordered to be issued.

3. As per prosecution story, the informant, Khushbo Mishra was posted as an Inspector of B.M.P.-8, Begusarai and she was residing in the Government Quarter in the campus of



B.M.P.-8. The petitioner was vexing her directly or indirectly when she used to go to duty and also threatened her to kill by sprinkling acid. When she was returning from the market after purchasing vegetables, as she reached a lonely place, she saw that the petitioner was sitting in ambush and tried to stop her. Thereafter, she raised alarm and tried to flee away, the petitioner threw acid on her from behind but she saved herself.

4. Learned counsel for the petitioner has submitted that after completion of investigation, police has submitted charge-sheet against the petitioner. He has further submitted that during the course of investigation, the statement of the witnesses have been recorded by the Investigating Officer and the statement of Awadhesh Mishra (father of the informant) & Amit Mishra (brother of the informant) have been mentioned in paragraph nos.11 & 18 of the case diary in which they stated that they were not eye-witnesses and the independent witnesses, namely, Aman Kumar and Bazo Devi have categorically denied the alleged occurrence and they said that no any such occurrence has been taken place. He has further submitted that not a single word of incriminating evidence has come during investigation against the petitioner.

5. Learned APP for the State has vehemently opposed the



prayer of the petitioner and has submitted that the prima facie case is made out against the petitioner and the court below has rightly taken the cognizance against the petitioner under Sections 354, 354A, 354D and 506 of the Indian Penal Code.

6. Considering the aforesaid facts and circumstances of the case as well as the aforesaid reasons, the quashing application stands dismissed, accordingly.

(Chandra Prakash Singh, J)

Guddu/-

U		T	
---	--	---	--

