

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32390 of 2024

Arising Out of PS. Case No.-123 Year-2024 Thana- SIWAN CITY District- Siwan

Bipin Kumar Son Of Musafir Yadav Resident Of Bermi, P.S. - Kadirganj O.P.
Town Nawada, District - Nawada

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ansul, Adv.
Mr. Navneet, Adv.
Mr. Anshul Aryan, Adv.
For the Opposite Party/s : Mr. Madhura Nand Jha APP.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 21-11-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The application has been filed for quashing the
F.I.R. arising out of Town P.S. Case No. 123 of 2024, dated
17.03.2024 instituted under Sections 406, 409, 201 and 120B of
the Indian Penal Code.

3. The prosecution case, in brief is that the informant
lodged an FIR being Town P.S. Case No. 181 of 2023 on
13.04.2023 against Ankit Singh, Anju Rai, Ravindra Kumar for
extortion of money from her daughter by recording her videos
and photos and threatened to make it public. It is also alleged
that the above-named accused persons extorted jewellery worth



of Rs. 57 Lakhs and cash of Rs. 3 Lakhs. Further the allegation against the petitioner is that he was the investigating officer of the case and had seized the mobile phone in which the explicit videos were recorded although the contents of the mobile is not mentioned in the case diary.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in instant case. It is next submitted that the petitioner was the investigating officer of Town P.S. Case No. 181 of 2023 from 13.04.2023 till 20.07.2023 and during the course of the investigation, the said mobile was never placed before the petitioner. It is further submitted that there is no seizure list available on record of the said mobile. It is next submitted that the allegation against the petitioner is false and concocted. It is an interference in course of investigation.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the present application which has been filed for quashing the F.I.R arising out of Town P.S. Case No. 123 of 2024.

6. Having heard learned counsel for the respective parties at length, perusing the materials available on record and considering the averments made on behalf of the respective



parties, in my considered opinion, it is a fit case where this Court should exercise its jurisdiction under Section 482 of the Cr.P.C.

7. For the reasons discussed above, this application for quashing the FIR dated 17.03.2024 and the entire proceeding arising out of Town P.S. Case No. 123 of 2024 is hereby quashed.

8. Accordingly, the application stands allowed.

(Chandra Prakash Singh, J)

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