

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64927 of 2018

Arising Out of PS. Case No.-541 Year-2017 Thana- BUXAR District- Buxar

RANJEET SINGH RANA @ RANJEET SINGH Son of Jagdishwar Prasad Singh, Resident of Vasudeva Prakhand, P.S.- Basudeva, P.O.- Navanagar, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Satyendra Kumar Singh, Circle Officer, Buxar, Village Chaumusa, P.O.- Pirauta, District- Bhojpur, Ara.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jai Vardhan Narayan, Advocate Mr. Mritunjay Kumar, Advocate Mr. Sarvendra Kr. Verma, Advocate
For the Opposite Party/s	:	Mr. Sunil Kr. Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 20-07-2024 The petitioner has filed the instant application under Section 482 Cr.P.C. praying for quashing of the order of cognizance dated 17.01.2018 for the offence punishable under Section 420, 467, 471, 342, 353, 290, 291, 186 and 188 of the I.P.C.

2. It is pertinent to mention at the outset that on the basis of complaint submitted by one Satyendra Kumar Singh, Circle Officer, police registered Buxar Town P.S. Case No.541 of 2017 under the aforesaid penal provisions against the petitioner. It was alleged in the F.I.R. that the petitioner being a resident of Vasudeva Prakhand, Navanagar, District Buxar



approached the office of the Sub-Divisional Officer in writing on 01.09.2017 to permit him to organized and hold the meeting of farmers in Kila Maidan for spreading awareness amongst the farmers that the landless farmers are entitled to have settlement of Government land. The said promotion was not granted by the Sub-Divisional Officer showing the reasons that Kila Maidan was not vacant on the proposed day of meeting and secondly, the proposed meeting may cause violation of law and order. However, as the meeting was called by the petitioner previously thousands of farmers attended, the petitioner held meeting at Jyoti Chak and informed the farmers that by virtue of a notification published in the official gazette, on 14.03.2011, the landless farmers are entitled to get some amount of land, upon filing an application to the Government in prescribed form.

3. According to the informant assembly of thousands of farmers cause disruption of daily life of the resident of Buxar and there was an apprehension of violation of law and order.

4. Having heard the learned Advocate for the petitioner and on perusal of the F.I.R. and other materials on record, this Court fails to appreciate as to how, charge under Section 420, 467, 468, 471, 342, 353, 290, 291, 186, 188 of I.P.C. was alleged against the petitioner in the charge sheet. The



petitioner being a social activist, alive for the cause of farmers did not commit any cheating. He did not create any false document, he also did not use any false document, as genuine to cause any loss of the Government. It was urged by the petitioner that there was a Government notification published in the gazette on 14.03.2011 by virtue of which, the landless people are entitled to have land settled with the Government. In order to apprise the said fact, he called the meeting of the farmers.

5. It is the duty of every person to make other people aware about their constitutional and legal right, for such purpose a man cannot be subjected to a criminal proceeding.

6. For the reasons stated above, I do not find any ground for further proceeding of this case, accordingly, the order of cognizance dated 17.01.2018 on the basis of the charge sheet bearing No.488/2017 taken by the Jurisdictional Magistrate is bad and liable to be quashed.

7. Accordingly, the instant application under Section 482 Cr.P.C. is allowed.

(Bibek Chaudhuri, J)

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