

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.151 of 2025

Arising Out of PS. Case No.-428 Year-2024 Thana- PARSABAZAR District- Patna

-
1. Ajit Kumar S/o Vinod Singh R/o Village- Maulanabudi Chak, PS- Parsa Bazar, District- patna
 2. Amit Kumar s/o Arjun Singh @ Arjun Prasad Singh R/o Village- Maulanabudi Chak, PS- Parsa Bazar, District- patna
 3. Sujit Kumar S/o Vinod Singh R/o Village- Maulanabudi Chak, PS- Parsa Bazar, District- patna
 4. Arjun Singh S/o Late Rajendra Singh R/o Village- Maulanabudi Chak, PS- Parsa Bazar, District- patna

... .. Petitioner/s

Versus

1. The State of Bihar through Home Secretary Home Deptt., Govt. of Bihar Bihar
2. The Director General of Police, Bihar Patna
3. The Additional Director General of Police Crime Investigation Deptt. Bihar Patna
4. The Senior Superintendent of Police, Patna
5. The Superintendent of Police City (EAsT), Patna Bihar
6. The Sub Divisional Police Officer, Patna Sadar Bihar
7. The Sub Divisional Magistrate, Patna Sadar Bihar
8. The Station House Officer, Parsa Bazar, P.S. , Distt.- Patna Bihar
9. Sri Dharmendra Kumar, Investigating Officer cum PSI No. Dha14090, Parsa Bazar, P.S. Distt.- Patna Bihar
10. Sri Monu Kumar S/o Sri Manoj Kumar Singh R/o vill - Maulanabudhi Chak, P.S. - Parsa Bazar, Distt.- Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. D.K. Sinha, Sr. Advocate Mr. Amit Kumar
For the Respondent/s	:	Mr. Sunil Kumar Mandal S.C.3 Mr. Arjun Prasad AC to SC 3

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 16-06-2025 Heard the learned Senior Counsel for the petitioners

and the learned counsel for the State.



2. By way of this writ petition, the petitioners have prayed for the following reliefs:-

A) To issue an appropriate writ/writs/order/orders /direction/directions in the nature of certiorari or any other appropriate writ for quashing of the F.I.R. of Parsa Bazar P.S. Case No. 428/2024 in District Patna, registered for the offences punishable under sections 126(2), 115(2), 351 (2) and 352 of the BNS and 25 (1-B) (a), 27,35 of the Arms Act and the proceeding of Case No. 1929 (M)/2024, under section 126 of the BNSS (Old Sec. 107 Cr.P.C.) initiated by the Respondent No.7 Sub Divisional Magistrate, Patna Sadar, Patna against these petitioners, on the ground that the same are completely illegal and without any authority of law and there are the case of double jeopardy and these cases have been filed to restrict the joining of petitioner no.2 on the post of Assistant Professor in Magadh University.

B) And, prayer is also made to this Court to adjudicate and hold that no cognizable offences, even no case is made out against the petitioners as per the content of first information report and therefore the petitioners cannot be subjected to criminal prosecution and petitioner no.2 (Amit Kumar son Arjun Singh @ Arjun Prasad Singh) cannot be subjected to the prohibit/deprived for the Joining the Govt. Service by the lodging this false, fabricated and concocted F.I.R.



3. The prosecution case, in brief, is that the informant along with his father was going to the doctor and when he reached near Nathupur on Dobhi four lane N11-22, two people came on an Apache bike and asked him to stop the vehicle and the man sitting behind took out a pistol and put it on the head of the informant and asked him to get out. After coming out, he slapped the informant twice on his cheek and said, “you want to be a big contractor, you want to be a leader, you have taken the contract of the whole village”. Saying all this, he shot two bullets at the windshield of the vehicle from the front and said that if you go to the police station, we will kill you. The informant has further stated that this incident is related to the village street dispute. About 6-7 days ago, when the work started, Ajit Kumar, Sujit Kumar, Amit Kumar, Arjun Singh all these people of the village came and stopped the work.

4. The contention of the petitioners is that the FIR of Parsa Bazar P.S. Case No. 428/2024 be quashed after considering their defence.

5. The FIR cannot be quashed by this Court by considering the affidavit evidence and the defence of the petitioners. It is for the Investigating Agency to consider the defence of the petitioners and thereafter submit the final report/



charge-sheet in accordance with law.

6. This application is dismissed with liberty to the petitioners to approach the Senior Superintendent of Police, Patna with his defence by filing a representation and if such a representation is filed by the petitioners the same shall be considered by the Senior Superintendent of Police, Patna /I.O. of the case and an appropriate final report/charge-sheet shall be filed by the Police in accordance with law after considering the defence of the petitioners.

(Sandeep Kumar, J)

Shishir/-

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

