

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.624 of 2023

Arising Out of PS. Case No.-21 Year-2022 Thana- SONO District- Jamui

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1. RUPA KUMARI WIFE OF NAVIN KUMAR SINGH RESIDENT OF VILLAGE - GAURA, WARD NO. - 1, P.S. - TEGHRA, DISTT. - BEGUSARAI
 2. R.P. GROUP VENTURES (RP GROUPECS) RESIDENT OF VILLAGE - GAURA, WARD NO. - 1, P.S. - TEGHRA, DISTT. - BEGUSARAI

... .. Petitioner/s

Versus

1. The State of Bihar through, Principal Secretary Mines Department, Bihar, Patna BIHAR
2. THE MINING INSPECTOR, JAMUI BIHAR

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv. Mr. Rajesh Kumar
For the Respondent/s	:	Mr. Gyan Prakash Ojha, GA 7 Mr. Abhinav Ashok, AC to GA 7
For the Mines	:	Mr. Naresh Dixit, Spl. P.P. Ms. Shruti Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-07-2025 Heard the learned senior counsel for the petitioner, learned counsel for the State and learned counsel for the Mines Department.

2. This application has been filed on behalf of the petitioner for the following relief:-

That petitioners are invoking the extra ordinary writ jurisdiction of the Hon'ble Court for issuance of appropriate writ/writs, order/orders, direction/directions for quashing the Sono P.s. case no. 21/2022 dated 14.01.2022 for offences u/s 379, 420, 467, 468, 120(B)/34 of the I.P.C. and section



56(2) of Bihar Minerals (Concession, Prevention of illegal Mining, Transportation & storage) Rules, 2019 and section 21 of the Mines and Minerals (Development and Regulation) Act, 1957 so far it relates to petitioners as there is absolutely no material on record from the recital of F.I.R. to attract the ingredients of any penal provision and also violation/breach of Rule 56(2) Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & storage) Rules, 2019 and section 21 of Mines and Minerals (Development and Regulation) Act, 1957.

3. The prosecution case in brief is that the informant i.e. the Mining Inspector, Jamui while checking the vehicles at Manjhwa check post has alleged that he has found irregularities in the challan issued to them for loading sand and accordingly, Sono P.S. Case No. 21 of 2022 has been registered.

4. The learned senior counsel for the petitioner has pressed this application on various defences which have been mentioned in the writ petition.

5. It has been submitted by the learned counsel for the State and the Mining Department that the case is under investigation.

6. I have heard and considered the submission of the parties.



7. In the opinion of this Court, this Court cannot interfere in the FIR unless the offence is not made out against the petitioner and this is not the stage for quashing of the FIR.

8. Accordingly, this application is dismissed with a liberty to the petitioner to raise all the grounds at an appropriate stage if charge-sheet is submitted against him after investigation. The petitioner is also given liberty to move to the Superintendent of Police, Jamui by way of filing a representation and if the Superintendent of Police, Jamui finds substance in the representation of the petitioner then the same shall be considered during investigation.

(Sandeep Kumar, J)

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