

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22194 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- BYPASS District- Patna

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1. Chandra Bhushan Kumar Son of Sri Bado Prasad Singh Resident of Hakim Ganj, Sampatchak, P.O.- Patna City, P.S.- Mehandiganj, District - Patna, Bihar - 800008.
 2. Ayush Kumar Son of Chandra Bhushan Kumar Resident of Hakim Ganj, Sampatchak, P.O.- Patna City, P.S.- Khaje Kala, District - Patna, Bihar - 800008

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajeev Ranjan Son of Kaleshwar Prasad Singh R/o Mohalla - Patoki Bagh, P.O.- Patna City, P.S.- Khajekala, District - Patna, Bihar - 800008.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Singh, Advocate
For the Opposite Party/s : Dr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-06-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have filed the instant application for quashing of the F.I.R. of Bypass Police Station Case no.24/2025, registered for offences under sections 191(2), 191(3), 190, 324(4), 324(5), 303(2), 308(4) and 352 of the BNS, 2023.

3. It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. For the same piece of land, one case after the other has been filed by the informant against these petitioners. The first



being Bypass P.S. Case no.533/2024, registered on 6.11.2024 followed by the present Bypass P.S. Case no.24/2025 on 19.1.2025 and as per instructions received yet another third case has also been registered. Learned counsel for the petitioners submits that even accepting the allegations levelled in the F.I.R., the dispute is purely civil in nature and filing of a criminal case is an abuse of the process of the Court. No offence is made out from reading of the F.I.R. and as such, the same be quashed. In support of his contention, learned counsel for the petitioners has relied on the judgment in the case of *AIR 1992 SC 604 (State of Haryana and Ors. Vs. Ch. Bhajan Lal and Ors.)* and more particularly paragraph no. 8.1 thereof.

4. The application is opposed by the learned APP for the State.

5. Heard learned counsels for the parties and perused the material on record. On perusal of the F.I.R. of Bypass P.S. Case no.24/2025, quashing of which is sought, it transpires that the same relates to an occurrence said to have taken place on 19.1.2025 at 10.00 a.m. when an altercation took place between the parties on the allegation made by the informant on the two petitioners herein of having stolen the iron rod strips etc. stored in the premises. It is stated that the petitioners herein along with



ten accused persons, all aged between 25 and 30 years abused and assaulted the informant and also demanded '*Rangdari*' of Rs. 20 Lacs.

6. This Court further finds on perusal of the contents of the F.I.R. that the same refers to the earlier Bypass P.S. Case no.533/2024, a copy of which is Annexure-P/4 to the petition and which has been lodged two months before the present F.I.R. with respect to the accused persons having stolen the CCTV Camera on the premises.

7. On perusal of the contents of the F.I.R., it cannot be said that no offence whatsoever is made out against the petitioners. The occurrence with respect to which the instant F.I.R. has been registered is with respect to an occurrence said to have taken place subsequently on 19.1.2025, independent of the occurrence which took place earlier and for which Bypass P.S. Case No.533/2024 was registered.

8. In the opinion of the Court, no case for quashing of the F.I.R. is being made out by the petitioners.

9. There is no merit in the instant application and the same is dismissed.

(Partha Sarthy, J)

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