

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1513 of 2024

Arising Out of PS. Case No.-298 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

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Rana Kumar Yadav @ Rana Kumar Son of Sri Nathuni Yadav Resident of
village - Maniyara Farm, P.S.- Kuchaikote, District - Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar through The Chief Secretary, Government of Bihar, Patna Bihar
2. The Additional Chief Secretary, Department of Home, Government of Bihar, Patna Bihar
3. The Director General of Police, Bihar, Patna Bihar
4. The Deputy Inspector General of Police, Saran, Chapra Bihar
5. The District Magistrate, Gopalganj Bihar
6. The Superintendent of Police, Gopalganj Bihar
7. The Station House Officer, Kuchaikote Police Station, District - Gopalganj Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Upendra Yadav
For the Respondent/s : Mr. S.C.8

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 16-06-2025 Heard the learned counsel for the petitioner and the

learned counsel for the State.

2. This is an application for grant of following reliefs

to the petitioner:-

*A) To issue a Writ in the nature of
Mandamus, directing and commanding the
Respondents to quash the FIR of Kuchaikote P.S. Case
No-298/2020 as against this Petitioner.*

*B) To issue a writ in the nature of
Mandamus, directing and commanding the
Respondents not to take any coercive step against the
Petitioner during the pendency of the present writ*



petition.

3. The prosecution case, in brief, is that the informant solemnized the marriage of her deceased daughter Siddhi Kumari with Petitioner in the year 2019 according to Hindu rites and rituals. It is further stated that soon after the marriage, all the FIR named accused persons started inflicting physical and mental torture upon the deceased to fulfill their demand for a Brezza Car. Even though the petitioner was living abroad, he used to threaten the deceased on telephone for demand of dowry. On 03.08.2020 at about 7 am, the informant received information and reached his daughter's in-laws house and found her dead body lying on a chowki. All the FIR named accused persons and deceased's eight-month-old daughter were absent from the place of occurrence. Thereafter, the informant informed the Police and a post-mortem of the dead body was done.

4. The contention of the petitioner is that the FIR of Kuchaikote P.S. Case No-298/2020 be quashed after considering his defence.

5. The FIR cannot be quashed by this Court by considering the affidavit evidence and the defence of the petitioner. It is for the Investigating Agency to consider the



defence of the petitioner and thereafter submit the final report/
charge-sheet in accordance with law.

6. This application is dismissed with liberty to the
petitioner to approach the Superintendent of Police, Gopalganj
with his defence by filing a representation and if such a
representation is filed by the petitioner the same shall be
considered by the Superintendent of Police, Gopalganj /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 petitioner.

(Sandeep Kumar, J)

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