

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1267 of 2024

Arising Out of PS. Case No.-46 Year-2023 Thana- SC/ST District- Sheikhpura

1. Mannu Yadav Son Of Hari Yadav Village- Ukhadi, P.S.- Jairampur, Distt.- Sheikhpura
2. Tuntun Yadav @ Tunny Yadav @ Tuntun Kumar Son Of Mannu Yadav Village- Ukhadi, P.S.- Jairampur, Distt.- Sheikhpura
3. Kundan Yadav @ Kundan Kumar Son Of Mannu Yadav Village- Ukhadi, P.S.- Jairampur, Distt.- Sheikhpura

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Government Of Bihar, Patna
2. The Superintendent Of Police, Sheikhpura Sheikhpura
3. The Deputy Superintendent Of Police, Sheikhpura Sheikhpura
4. The S.H.O. Sheikhpura Sc/St Police Station, District- Sheikhpura Sheikhpura,
5. Janti Devi W/O- Shyam Babu Ravidas Village- Ukhadi, P.S.- Jairampur, Distt.- Sheikhpura

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Bipin Kumar, Advocate
For the Respondent/s	:	A.A.G.4

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-04-2025 Heard the parties.

2. The present application has been filed for quashing the First Information Report bearing Sheikhpura SC/ST Case No. 46 of 2023 dated 25.12.2023 registered for offences punishable under Sections 341,323, 354 and 504/34 of Indian Penal Code and Sections 3(i)(r), 3(i)(s), 3(i)(va) of SC/ST (Prevention of Atrocities) Act, 1989.

3. The prosecution story in brief is that the informant namely Janti Devi, gave her written statement stating therein



that on 25.12.2023 at around 8.00 P.M. when she reached her land, she found 1. Manny Yadav (Petitioner No. 1), 2. Tunnu Yadav (Petitioner No. 2), 3. Kundan Yadav (Petitioner No 3), and 4. Ramashray Yadav have built a hut (JHOPDI) on her land. When the informant opposed, Mannu Yadav started to abuse her using caste name. Thereafter, the informant opposed to which all the accused persons started to hit her and her both in-law and tore the informant's blouse and made her half naked. This resulted in Hullah. Meanwhile, all the accused persons tried to hit her with Lathi and when the informant tried to stop, she got injured on her wrist. Meanwhile villagers gathered to stop the fight. The informant and her brother-in-law went to Government Hospital, Barbigha for treatment and then to the Police Station.

4. From the reading of the FIR, *prima facie* case is made out against the petitioners which is required to be investigated.

5. In these circumstances, this application is dismissed with liberty to the petitioners to raise all the grounds at an appropriate stage.

(Sandeep Kumar, J)

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