

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1313 of 2024

Arising Out of PS. Case No.-365 Year-2024 Thana- RUPASPUR District- Patna

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1. Pawan Kumar Son of Bishnu Tiwari R/O Mohalla- Lekha Nagar, Road no. 1, Khagaul Road, P.S.- Danapur, Dist.- Patna
 2. Dharendra Kumar @ Dharendra kumar Son of Late Parshuram Sharma R/O Vill.- Dilawarpur, P.S.- Bihta, Dist.- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Home Department Government of Bihar, Patna
2. The Principal Secretary, Mines and Geology Department Government of Bihar, Patna
3. The Director General of Police, Bihar Patna
4. The Senior Superintendent of Police Patna
5. The District Magistrate Patna
6. The Sub-Divisional Police Officer, Danapur Patna
7. The Mines Inspector, District Mines Office Patna
8. The Station House Officer, Rupaspur Police Station Patna
9. The Investigating Officer of Rupaspur P.S. Case No. 365 of 2024, Rupaspur Police Station Danapur, Patna
10. Pritam Kumar, Mines Inspector, District Mines Office, Patna R/O Vill.- Dhuriya Kalasan, P.S.- Chausa, Dist.- Madhepura

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Sr. Advocate Mr. Shyam Kishore, Advocate
For the Respondent/s	:	Mr. S.C 5

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 15-04-2025 Heard learned Senior counsel for the petitioners and learned APP for the State.

2. The present application has been filed for quashing/set-aside the FIR of Rupaspur P.S. Case No. 365 of 2024 dated 11.06.2024 instituted for offence under sections 379,



353 of the Indian Penal Code and 56 of the Bihar Minerals (Concession, Prevention of Illegal Mining, Transportation & Storage) Amendment Rules, 2021 on the report of Respondent No. 10.

3. The petitioners want the FIR to be quashed after considering the defence material which is not permissible in law in view of the law laid down by the Hon’ble Supreme Court in the case of **State of Bihar Vs. P.P. Sharma** reported in **1992 Supp (1) SCC 222**.

4. In view of the above, this application is dismissed.

(Sandeep Kumar, J)

P. Kumar

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