

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.1750 of 2024**

Arising Out of PS. Case No.-147 Year-2024 Thana- CHAPRA TOWN District- Saran

=====

Satish Kumar Sharma son of Shri Rajdev Sharma Mohalla- Dahiayan Tola,  
Daniyawan, P.S. Chhapra Town, District- Saran (Chhapra), State Bihar, Pin  
Code 841301.

... .. Petitioner

Versus

1. The State of Bihar The Chief Secretary, Govt. of Bihar, Patna Bihar
2. The Additional Chief Secretary, Department of Home Police, Bihar, Patna Bihar
3. The Additional Chief Secretary, Public Health Engineering Dept., Govt. of Bihar, Patna Bihar
4. The Commissioner Saran Division, Saran Bihar
5. The District Magistrate cum Collector, Saran Bihar
6. The Senior Superintendent of Police, Saran Bihar
7. The Superintendent of Police, Vigilance Investigation Agency, Bihar, Patna Bihar
8. The Chief Engineer, Public Health Division, Chapra, Saran Bihar
9. The Executive Engineer, Public Health Division, Chapra, Dak Bungalow, Road, Saran Bihar
10. The Junior Engineer, Lower Division, Public Health Division, Chapra, Saran Bihar
11. Mr. Sanyog Kumar, The then Executive Engineer, Public Health Division, Chapra, Dak Bungalow Road, Saran, Bihar

... .. Respondents

=====

**Appearance :**

|                          |   |                                                            |
|--------------------------|---|------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Siya Ram Shahi, Advocate<br>Mr. Rohit Mishra, Advocate |
| For the State            | : | A.A.G.-7                                                   |
| For the Vigilance Deptt. | : | Mr. Rana Vikram Singh, Advocate                            |

=====

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      05-05-2025                      Heard learned counsel for the parties.

2.      This application has been filed for the



following reliefs:-

- (i) *For quashing of the F.I.R. bearing F.I.R. no. Town P.S. Case No.5123004240147 of 2024 dated 12.03.2024 registered for the offence under sections 341, 323, 353, 504 and 506 of the Indian Penal Code.*
- (ii) *For directing the concern authority to make an enquiry / investigation / further investigation of the aforesaid police case (Town P.S. (Saran) no.5123004240147 of 2024 dated 12.03.2024) by any agency other than the local police like C.B.I./C.I.D. etc. and also against the respondent no.11.*
- (iii) *For that the concerned authority be directed not to disturb/ take any coercive action against the present petitioner till the final outcome of the investigation of the aforesaid police case.*
- (iv) *For that, after enquiry, the concern authority be directed to initiate criminal proceeding as well as departmental proceeding against the respondent no.11 as he has been committing illegal acts/ offences in the name of his official duty.”*

3. At this stage, this Court cannot quash the F.I.R. considering the defence of the petitioner as has been held by the Hon’ble Supreme Court in the case of ***State of Bihar vs. P.P. Sharma*** reported in ***1992 Supp (1) SCC 222***. Therefore, this Court is not inclined to quash the F.I.R.



4. With regard to other prayers, the petitioner is given liberty to approach the District Magistrate and the Superintendent of Police, Saran, Chapra, by filing a representation. If such a representation is filed, the District Magistrate and the Superintendent of Police, Saran, Chapra will consider the same and will act in accordance with law if they find any substance in the representation of the petitioner.

5. With the aforesaid observations and directions, this criminal writ application is disposed of.

6. It is clarified that this Court has not expressed any opinion on the merits of the case.

**(Sandeep Kumar, J)**

pawan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

