

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20384 of 2023**

Arising Out of PS. Case No.-558 Year-2022 Thana- BHORE District- Gopalganj

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PINTU KUMAR @ PINTU SINGH @ PINTU BHAGAT @ PINTU KUMAR SINGH Son of Maya Singh @ Maya Bhagat Resident of village - Atana, Arna Bazar, P.S.- Uchakagaon, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Satrugan Singh S/O Late Subhash Bhagat R/O Village- Sukaldumar, P.S.- Bhore, District- Gopalganj

... .. Opposite Party/s

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**Appearance :**

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|--------------------------|---|------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Subhangi Pandey, Adv.<br>Mr. Anand Vardhan, Adv. |
| For the Opposite Party/s | : | Mr. Murli Dhar, APP                                  |
| For the O.P. No.2        | : | Mr. Satyendra Rai, Adv.                              |

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**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

5      06-02-2026                      Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party no.2.

2. The present application has been filed for quashing for F.I.R bearing Bhore P.S. Case No. 558 of 2022 dated 22.11.2022, for the offence under Sections 323, 341, 307, 504 and 120B of Indian Penal Code and Section 25(1-B)a, 26(i), 27 and 35 of Arms Act.

3. Learned counsel for the petitioner has pointed out a glaring situation wherein, in the F.I.R, the name of the petitioner features as an accused with the allegations that he along with



others, came on motorcycle, armed with country made pistol and indulged in threatening and also resorted to firing, whereas it would be apparent from an order dated 26.11.2022 passed by this Court in Cr. Misc. No. 61050 of 2022 that the present petitioner was in custody in Uchakagaon P.S. Case No. 227 of 2021 since 06.09.2022, which fact has been noted in the said order by which bail was granted to the petitioner. It is further submitted that the petitioner was finally released on 07.12.2022. Be that as it may, it remains a fact which can be seen from open eyes that the petitioner was in custody from 06.09.2022 to at least 26.11.2022, whereas the F.I.R. in which he has been made an accused is dated 22.11.2022. As such, the presence of the petitioner at the place of occurrence is humanly and practically not possible and this fact is a clear pointer towards the falsity of the F.I.R., at least with regard to the present petitioner.

4. Learned APP for the State as also learned counsel for the opposite party no.2 opposed the present application for quashing of F.I.R.

5. Taking into consideration the fact that F.I.R is at the investigation stage and there are other accused persons also whose cases are being investigated, this Court would not quash the F.I.R but would direct the Investigating Officer as also the



Court concerned to look into such glaring facts which point towards non-complicity of the petitioner in the said offence.

6. With the aforesaid observations and directions, the present application is disposed of.

**(Soni Shrivastava, J)**

Harsh/-

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