

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34642 of 2023

Arising out of PS. Case No.-141 Year-2016 Thana- MANSI District- Khagaria

1. Bhim Yadav @ Bhim Kumar Yadav Son of Late Chhatrapati Yadav Resident of Village - Chukti, P.S.- Mansi, District - Khagaria. At Present Resident of Mohalla - Bhagwan Kailash Apartment Flat No.- 109 old Jakkanpur, P.S.- Jakkanpur, District - Patna
2. Gita Devi Wife of Bhim Yadav @ Bhim Kumar Yadav Resident of Village - Chukti, P.S.- Mansi, District - Khagaria. At Present Resident of Mohalla - Bhagwan Kailash Apartment Flat No.- 109 old Jakkanpur, P.S.- Jakkanpur, District - Patna
3. Anchal Kumari @ Akta Kumari Daughter of Bhim Yadav @ Bhim Kumar Yadav Resident of Village - Chukti, P.S.- Mansi, District - Khagaria. At Present Resident of Mohalla - Bhagwan Kailash Apartment Flat No.- 109 old Jakkanpur, P.S.- Jakkanpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uma Kant Mishra, Advocate
For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL JUDGMENT

Date : 11-05-2026

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. Petitioners seek quashing of the order of cognizance dated 22.11.2018 passed by learned Special Judge, Excise Act, Khagaria in connection with Mansi P.S. Case No. 141/2016 registered for the offences under Sections 147, 149, 152, 341, 323, 353, 224, 225 of the IPC and Section 53 of Bihar Prohibition and Excise (Amendment) Act.



3. The FIR has been lodged by the Officer In-charge, Mansi Police Station with the allegation that the police went to the house of a particular person. The police raided the house of one Rana Yadav to arrest his son-in-law Subodh Yadav. Subodh Yadav and two others were arrested from there. The family members came and they attacked the police officials and the police caught these three accused.

4. Learned Counsel for the petitioners submits that they were arrested later on and thereafter they were allowed bail. The Petitioner No. 1 is practicing Advocate of this Court, the Petitioner No. 2 is his wife and Petitioner No. 3 is his daughter. They are not directly concerned with the case at all. They have their joint house and their area has been partitioned and they are separate in mess. The allegation against his son-in-law Rana Yadav and the petitioners have no concern with the family members and activities of Rana Yadav. They have merely been implicated in the case because they were present at the place of occurrence. Their presence at the place of occurrence will not involve the petitioner in a criminal case at all as they are residents of the same place.

5. In such view of the matter, the order of cognizance dated 22.11.2018 passed by learned Special Judge, Excise Act, Khagaria in connection with Mansi P.S. Case No. 141/2016



registered for the offences under Section 147, 149, 152, 341, 323, 353, 224, 225 of the IPC and Section 53 of Bihar Prohibition and Excise (Amendment) Act is quashed so far as the petitioners are concerned.

6. With the aforesaid observations, the present application stands allowed.

(Ansul, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	

