

(2015) 01 PAT CK 0034

In the Patna High Court

Case No : Criminal Writ Jurisdiction Case No. 143 of 2014

Ramji Chauhan

APPELLANT

Vs

State of Bihar

RESPONDENT

Date of Decision : 16-01-2015

Acts Referred:

Constitution of India, 1950 — Article 226, 227

Penal Code, 1860 (IPC) — Section 323, 34, 341, 379, 384

Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 —
Section 3(1)(x)

Citation : (2015) 01 PAT CK 0034

Hon'ble Judges : Ashwani Kumar Singh, J.

Bench : Single Bench

Advocate : Birednera Kumar, for the Appellant; Gyan Prakash Ojha, GP and
Praveen Kumar, AC to GP, Advocates for the Respondent

Final Decision : Dismissed

Judgement

Ashwani Kumar Singh, J.—A counter affidavit has been filed on behalf of the State. Let the same be kept on record.

2. Heard learned counsel for the petitioner and learned counsel for the State.

3. In the present application filed under Articles 226 and 227 of the Constitution of India, the petitioner has prayed for quashing of the First Information Report of Katihar Muffasil P.S. Case No. 4 of 2014 dated 8.1.2014 registered for the offences punishable under Sections 341, 323, 379, 384, 406 and 504 read with 34 of the Indian Penal Code as well as for quashing of Katihar Muffasil P.S. Case No. 8 of 2014 dated 18.1.2014 registered for the offences punishable under Sections 341, 323, 379, 506 and 504 read with 34 of the Indian Penal Code and 3(1)(x) of the SC and S.T. (Prevention of Atrocities) Act.

4. It has been contended that the petitioner has falsely been implicated in both the cases due to ongoing land dispute between the parties.

5. On the other hand, learned counsel for the State has submitted that in Katihar Muffasil P.S. Case No. 4 of 2014 after concluding the investigation, the police have already submitted charge sheet in the Court and investigation in connection with Katihar Muffasil P.S. Case No. 8 of 2014 is going on.

6. I have perused the FIR of both the cases mentioned hereinabove. The allegations made in both the FIRs do constitute a cognizable offence.

7. In that view of the matter, I find no merit in the present application. Accordingly, the writ petition is dismissed.