

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.697 of 2015

=====

1. Suraj Ram S/O Subodh Ram resident of village- Jay Nagar, Bari Kabaiya, Ward No. 10. P.S.- Kabaiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Director General Cum Inspector General of Police, Government of Bihar, Old Secretariat, Patna;
3. Superintendent of Police, Lakhisarai, P.S.- Lakhisarai, District- Lakhisarai;
4. Officer Incharge, Kabaiya Police Station, P.S.- Lakhisarai, District- Lakhisarai;
5. Superintendent of Police, Dhanbad, District- Dhanbad;
6. Officer-In-charge, Katras, P.S. & District- Dhanbad.
7. Amit Sharma S/o Baldeo Raj Sharma Resident of village B.K. Rai Bunglow, Keshalpur Road, Katras, P.S. Katras, District- Dhanbad.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Kapil Deo Singh
Mr. Manoj Kumar Singh, Advocates
For the State : Mr. Ashok Kumar Keshri, AAG-11
Ms. Shilpi Keshari, AC to AAG-11

=====

CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

4 02-11-2015 Heard learned counsel for the petitioner and

learned counsel for the State.

The writ application has been filed seeking a direction upon the respondents to produce Sahil Kumar, aged about 3 years, who had gone missing from 2.8.2014 from his house for which FIR was also lodged on the next day by the petitioner.

On the basis of the said FIR and certain further evidence which came during investigation regarding involvement of certain persons, a person was arrested but ultimately no clue could be found so far as the missing child is concerned although charge sheet has been submitted against the said arrested person.

In the counter affidavit filed by the Director General of Police, Bihar, upon the direction of this Court, a detailed chart of the missing children for the calendar years 2013 and 2014 and another chart for six months for 2015 as also consolidated chart have been brought on the record.

The problem of missing children appears to be rampant throughout the State although in certain districts like Muzaffarpur, Patna, East Champaran, Saran, Gopalganj, Sitamarhi and a few others, the problem appears to be of more serious proportions.

It is stated that pursuant to certain directions by the Supreme Court in the writ petition (Civil) No. 75 of 2012 (Bachpan Bachao Andolan Vs. Union of India & Ors.) steps have been taken and detailed directives have been issued laying down process of action to be taken by the police in the matter of missing children. The directives dated 10.10.2015 themselves run into as many as nine pages but the action taken on the basis of the

said directives or otherwise do not appear to have produced the desired result and almost 1/5th of the cases of missing children reported for the calendar years 2013 and 2014 have remained unresolved, whereas the figures as expected are much higher for six months of this year as in nearly half the cases, the missing children have not been traced.

In the aforesaid factual situation, it is evident that additional measures would be required in nearly third of the districts where the instances of kidnapping of children is much higher than the others. The DGP will give special attention to the matter and ensure that some additional monitoring is done with regard to the said districts.

So far as the present matter is concerned, from the counter affidavit of the Superintendent of Police, it appears that further steps have been taken without bearing any result. In the said circumstances no useful purpose can be served by keeping the matter pending.

The writ application is accordingly disposed of with the above observations and directions.

(Ramesh Kumar Datta, J)

S.Pandey/-

(Sudhir Singh, J)

U			
---	--	--	--