

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.266 of 2015

Arising Out of PS.Case No. -null Year- null Thana -null District- VAISHALI(HAJIPUR)

Sanjay Kumar Sah son of Late Shivaji Sah, resident of village- Gordia chaman,
P.S.- Bhagwanpur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Principal Secretary, Department of Home (Police) Govt. of Bihar, Patna
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Tirhut Zone, Muzaffarpur.
4. The Deputy Inspector of General of Police, Tirhut Range, Muzaffarpur.
5. The Superintendent of Police, Vaishali (Sadar) of Hajipur.
6. The Deputy Superintendent of Police, Hajipur, Investigation Officer, Hajipur Sadar.
7. The Officer Incharge, Vaishali, Sadar, Hajipur.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate
: Mr. Devendra Kumar, Advocate
For the Respondent/s : Mr. P.S. Sahay, SC-31

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 25-01-2016

By way of the present application preferred under Articles 226 and 227 of the Constitution of India, the petitioner has prayed for issuance of a direction to dispose of his representation by speaking and reasoned order.

2. The grievance of the petitioner is that though his son, aged about 18 years, was kidnapped in the night of 18th July, 2014, for which on the basis of his statement Hajipur Town P.S. Case No.611 of 2014, was registered under sections 363 and 365 of the Indian Penal

Code against unknown persons, there is no progress in the investigation of the case and kidnapped boy is still traceless.

3. It has been contended by the learned counsel for the petitioner that the investigating agency is totally insensitive to the case of the petitioner.

4. On the other hand, learned counsel for the State has submitted that investigation of the aforesaid police case is being conducted with utmost sincerity and despite all efforts made by the police, unfortunately, no clue regarding the abducted boy could be found till date. He has contended that in course of investigation one Ghanshyam Roy was arrested on 4.8.2014 and a report under section 173(2) of the Code of Criminal Procedure has already been submitted against him in the court on 30th September, 2014. In course of further investigation, on the basis of disclosure made by the aforesaid Ghanshyam Roy, one Bhola Sah was arrested on 28.9.2015 and has been remanded to judicial custody whereas Santosh Sah is absconding and against him prayer has been made in the court for issuance of warrant of arrest.

5. It is further contended that on the basis of the evidence collected during investigation another accused Mithilesh Mahto son of Suresh Mahto has also been arrested and remanded to judicial custody on 17th March, 2015 and a supplementary report under section 173(2)

of the Cr.P.C. has already been submitted against him in the court.

6. I have heard respective counsel for the parties and perused the record.

7. Regard being had to the facts and circumstances of the case, the application is disposed of with a direction to the Superintendent of Police, Hajipur, Vaishali to personally look into the matter and ensure that the investigation of the case is brought to its logical end within a reasonable time. He shall also ensure that all possible efforts should be made for recovery of the victim boy.

8. With these observations, the application is disposed of.

9. Let a copy of this order be transmitted to the Superintendent of Police, Hajipur, through fax.

(Ashwani Kumar Singh, J)

Md.S./-

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