

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.244 of 2016

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1. Bashisth Pandey Son of Late Suryabali Pandey, Resident of Village -
Manjha Satai tola, P.S. - Mirganj, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar Through The Principal Secretary, Department of Home, Government of Bihar, Patna
2. The Principal Secretary, Department of Home, Government of Bihar, Patna.
3. The Director General of Police, Department of Home (Police), Government of Bihar, Patna.
4. The Superintendent of Police, Gopalganj.
5. The Sub Divisional Police Officer, Hathua, District - Gopalganj.
6. Shri Achchela Singh Yadav Son of Not Known, the Thanadhyaksh, Mirganj P.S., Mirganj, District - Gopalganj.
7. Shri Rajdeo Prasad Yadav, Son of Not Known, the investigating Officer of Mirganj, P.S. Case No. 325/2015, Mirganj, P.S. - District - Gopalganj.
8. The State Health Society, Bihar through it's Executive Director at Pariwar Kalyan Bhawan, Sheikhpura, P.O. - B.V. College, District - Patna.
9. The Executive Director, State Health Society, Bihar at Pariwar Kalyan Bhawan, Sheikhpura, P.O. B.V. College, District - Patna.
10. The District Health Society, Gopalganj, through Civil Surgeon cum Member Secretary, sadar Hospital, Gopalganj.
11. The District Magistrate cum President, District Health Society, Gopalganj.
12. The Civil Surgeon cum Member Seretary, District Health Society at Sadar Hospital, Gopalganj.
13. The Civil Surgeon, Sadar Hospital, Gopalganj.
14. Dr. A.K. Chaudhary, medical Officer, Son of Not Known,
15. Dr. M. Kumar, Medical Officer, Son of Not Known,
16. Dr. Q. Jawed, Medical Officer, Son of Not Known,
17. Dr. S.K. Singh Medical Officer, Son of Not Known, All 13 to 15 member of the Medical Board examining Gungun Kumar (the son of petitioner) at Sadar Hospital, Gopalganj, District - Gopalganj.
18. The District Magistrate, Gopalganj, District - Gopalganj.
19. Angad Kumar Rai, Son of Madhurendra Rai, Resident of Village - Manjha Satai Tola, P.S. - Mirganj, District - Gopalganj (the sole accused in Mirganj, P.S. Case No. 325/2015).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5, Adv.
For the Respondent/s : Mr. Kumar Manish (SC-21)
Mr. Pankaj, AC to SC-21

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

ORAL ORDER

3 08-04-2016

Heard Mr. Sanjay Kumar Pandey, learned Counsel, appearing on behalf of the petitioner, and Mr. Kumar Pankaj, Assistant Counsel to learned Standing Counsel-21, appearing on behalf of the State-respondents.

Notwithstanding the fact that police have already submitted *charge sheet* on completion of investigation into Mirganj P.S. Case No.325 of 2015 (District- Gopalganj), it is submitted, on behalf of the petitioner, that the petitioner will make necessary application, under Section-173(8) of the Code of Criminal Procedure, seeking further investigation of the case aforementioned inasmuch as the investigation has been done perfunctorily, more so, that the petitioner's victim son is, according to the petitioner, still under the treatment of the doctors and the police have not collected any of the materials relating to his treatment.

In view of the submission noted above, learned Counsel for the petitioner seeks permission to withdraw this application with liberty to approach this Court with appropriate application, in future, if so advised, and also take recourse to such provisions of law as may be permissible.

No objection has been raised by the respondents to

the prayer for withdrawal made on behalf of the petitioner.

In view of the above and in the interest of justice, the application is hereby disposed of as withdrawn with liberty granted to the petitioner to approach this Court with appropriate application, in future, if so advised, and also to take recourse to such provisions of law as may be permissible.

(I.A. Ansari, ACJ)

K.C.jha/-

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