

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.610 of 2015

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

1. Amresh Kumar, son of Ram Sarikh Singh, resident of village-Laxmipur Bakhari,
P.S.-Mahua, District-Vaishali

.... Petitioner/s

Versus

1. The State of Bihar through Home Secretary, Government of Bihar, Patna .
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Tirhut Range, Muzaffarpur.
4. The Deputy Inspector General of Police, Tirhut Range, Muzaffarpur.
5. The Superintendent of Police, Vaishali at Hajipur.
6. The officer-in-Charge of Sarai Police station, Sarai, District-Vaishali.
7. The investigating officer of Sarai P.S. case no. 21/2012, Vaishali.
8. Dhrup Lal Rai, son of late Lal Bahadur Rai,
9. Vinod Rai, son of Dhrup Lal Rai,
10. Shivji Rai son of Jagdish Rai,
11. Sujeet Kumar son of Sri Shivji Rai,
12. Ganesh Rai son of Jang Bahadur Rai, respondent no. 8 -12 are resident of
village-Mukundkpur, P.S.-Sarai, District-Vaishali

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Adv.

For the Respondent/s : Mr. Anshuman Singh (GP-24)

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 03-02-2016

By way of the present application under Articles 226 and 227 of the Constitution of India, the petitioner seeks a direction to be issued to the respondent authorities to arrest the private respondents nos. 9, 11 and 12 in Sarai P.S. Case No. 21/2012 dated 30.01.2012 registered under Sections 341, 323, 379, 427, 384, 504 read with 34 of the Indian Penal Code.

A Counter affidavit on behalf of the State has already been

filed in the present application. Learned counsel for the State referring to paragraph-5 of the counter affidavit has submitted that on completion of investigation, the case was found to be false and accordingly, final form has already been submitted in the Court vide F.F. No. 74/2015 dated 09.07.2015.

In view of the assertions made in paragraph – 5 of the counter affidavit, no direction can be issued by the Court to arrest the accused persons named in Sarai P.S. Case No. 21/2012. Even otherwise, the prayer made by the petitioner is misconceived.

Accordingly, the application being devoid of any merit, is hereby dismissed.

(Ashwani Kumar Singh, J)

Vinita/-

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