

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.64 of 2016

Arising Out of PS. Case No. -312 Year- 2015 Thana -Nanpur District- SITAMARHI

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Md. Zafar Raine, son of Late Md. Ismile Raine, resident of village- Banoul, P.S.-
Nanpur, District- Sitamarhi

.... Petitioner

Versus

1. The State of Bihar, through Director General of Police, Bihar, Patna
2. District Superintendent of Police, Sitamarhi
3. Sub Divisional Officer of Police, Pupri, Sitamarhi
4. Officer-in-Charge of Nanpur P.S., Nanpur, Pupri, Sitamarhi
5. Investigating Officer of Nanpur P.S. Case No. 312/15 dated 23.10.2015, Pupri, Sitamarhi

.... Respondents

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Appearance :

For the Petitioner : Mr.

For the Respondents : A.C. to G.P. 23

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

ORAL JUDGMENT

Date: 09-03-2016

Heard learned counsel for the petitioner and the respondents.

2. Petitioner has prayed for a direction to the respondents to arrest the two main accused of heinous crime of gang rape arising out of Nanpur P.S. Case No. 312 of 2015 for the offences under Section 120B, 376 read with Section 34 of the Indian Penal Code.

3. In the counter affidavit, it has been pointed out that Charge Sheet No. 05/16 dated 18th of January, 2016 has been submitted against three accused, namely, Vijay Kumar, Subodh Kumar and Bharat Kumar for the offences under Sections 120B, 376, 376(2)(i), 376(D) read with Section 34 of the Indian Penal Code and Sections 4,8 and 12 of the POSCO Act, 2012. It is also pointed out that the two accused are absconding and evading arrest, and that proceedings have been initiated under Section 82 of the Code of Criminal Procedure.

4. In view of the fact that report has been filed on completion of the investigation against the three accused whereas two other accused are absconding, no further order is called for in the present petition, except a direction to the respondents to take appropriate steps to secure the presence of the absconding accused in accordance with law, expeditiously and bring them to book in accordance with law.

5. With the aforesaid direction the writ petition is disposed of.

(Hemant Gupta, J)

P.K.P.

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