

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.830 of 2017

Arising Out of PS. Case No.-290 Year-2015 Thana- DANAPUR District- Patna

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Barmeshwar Prasad Sinha, son of Late Gopal Lal, Resident of Gola Road,
Jhakari Mahadeo, Trimurti Nagar, P.S. Danapur, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Home, Patna.
2. The Director General of Police, Govt. of Bihar, Patna.,
3. The Senior Superintendent of Police, Patna.,
4. The Office-in-charge of Danapur Police Station, Danapur, Patna.
5. The Investigating Officer, Danapur Police Station, Danapur, Patna.
6. The Director, Forensic Science Laboratory, Patna.,
7. Director General of Police, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : M/s. Ansu, Atul Shankar,
Shakti Suman Kumar, Advocates

For the Respondent/s : A.C. to A.A.G.3

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date : 21-07-2017

Heard parties.

It is submitted that investigation is going on but the whereabouts of the boy could not be traced. From the version of the respondents, it appears that the boy for some reason was frustrated and has gone on his own volition. He was last seen in the C.C.T.V. Camera at Rajendra Nagar Terminal, Railway Station going out of the terminal on 27.05.2017. Thereafter, nothing could be traced out. The police says that investigation



is still going on.

In such a situation, it is not clear that the concerned boy is under illegal confinement of somebody.

Accordingly, this case stands disposed of with a direction to the respondents to tighten up the investigation so that the whereabouts of the boy could be traced out.

So far other aspect is concerned, the Director, FSL, Patna is present today. In this case the police has requested for scrutiny of the details of the calls of the mobile of the boy who had disappeared, however, the report was submitted on 09.05.2017, i.e., about after two years.

In such a situation, we are very worried that such type of scrutiny or analysis would definitely destroy the vigor and zeal of investigation and if such delay is caused by the FSL then investigation will land nowhere. We have seen in so many cases that such delay is occurring at the behest of the FSL department. The Director, who has appeared in person before this Court has informed that there is dearth of manpower in the department and several requests were made for dealing with the issue but there is no improvement till date.

In such a situation, let the Director General of Police, Bihar be impleaded as respondent no.7.



Let a detailed affidavit be filed on his behalf within two weeks.

Only for this purpose, put up this case under the heading “For Orders” on 07.08.2017.

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

sanjay

AFR/NAFR	NAFR
CAV DATE	NA
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