

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2591 of 2017

Arising out of PS. Case No.-259 Year-2017 Thana-
KADAMKUAN District- Patna

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Deepu Gupta, aged about 28 years Son of Ashok Gupta@ Ashok Kumar Das A/p Rajendra Nagar, road No. 1E, Yadav, Niwas, P.S Kadamkuan, District- Patna, Gandhi Nagar, Gali-2 Ward No. 31, P.O. +P.S.+District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna
2. Principal Secretary, Ministry of Home, Government of Bihar, Patna.
3. Director General of Police, Bihar, Patna.
4. Inspector General of Police, Patna Region
5. Deputy Inspector General of Police, Patna Region Patna, Bihar.
6. Senior Superintendent of Police, Patna, Bihar.
7. Superintendent of Police(City), Patna, Bihar.
8. Deputy Superintendent of Police, Patna Central Patna, Bihar.
9. Mr. Gulam Sarvar, the then Station House Officer, Kadamkuan, Police Station- Patna.
10. Bharat Prasad, S.I.-Cum Investigating Officer Kadamkuan, Police Station- Patna.
11. Kanchan Mala Gupta, aged about 46 years Wife of Chanchal Gupta
12. Chanchal Gupta, aged about 50 years Son of Baleshwar Gupta
13. Subodh Gupta, aged about 40 years Son of Baleshwar Gupta
14. Dev Jyoti Gupta, aged about 22 years Daughter of Chanchal Gupta
All four residents of Village- Narsingh Garh, P.S. Dhalmungar, District- East Singhbhum , Jharkhand
15. Arvind Kumar Gupta, aged about 38 years Son of late Mohan Prasad
16. Sandhan Gupta, aged about 35 years Wife of Arvind Kumar Gupta
Both Residents of House No. 113, Mohalla Shivalik Nagar, BHEL, Haridwar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar, Advocate.

For the Respondent/s: Mr. Ajay Kumar Sharma, AC to AG

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
and



**HONOURABLE JUSTICE SMT. ANJANA
MISHRA
ORAL JUDGMENT
(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)**

Date : 10-01-2018

Heard learned counsel for the petitioner and the State.

Through, this writ application, the petitioner seeks issuance of writ in the nature of habeas corpus directing the respondents for production of Rakhi Gupta, wife of the petitioner, who, according to him, has been abducted by the private respondents for which Kadamkuan P.S. Case No. 259 of 2017 has already been lodged.

Learned counsel for the State has informed that the petitioner has come again in this matter by filing this writ petition as on earlier occasion he has come up by filing CWJC No. 1594 of 2017 which was dismissed on 06.09.2017, however, a direction was made to the police to make all the efforts for recovery of the girl or to find out as to what has happened to her.

In this proceeding, the only anxiety of the Court is to know with respect to the direction of the last paragraph of the aforesaid order.



A counter affidavit has been filed on behalf of the respondent nos. 6 to 8 and it is stated that the investigation is being done but they have not been successful for recovery of the girl, however, the case has been found true against the petitioner and charge-sheet has already been submitted against him under Sections 498A and 364 of the Indian Penal Code and now the charges have also been framed.

Accordingly, we are not inclined to pass any further direction in this matter.

So far as recovery of girl is concerned, police has stated that they are making efforts and such direction is already there in the earlier proceeding. That direction would not get affected by the present order.

This writ application stands disposed of with the aforesaid observations.

(Dr. Ravi Ranjan, J)

Vikash/-

(Anjana Mishra, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.01.2018
Transmission Date	NA

