

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.621 of 2018

Arising Out of PS. Case No.-71 Year-2017 Thana- NIRMALI District- Supaul

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Nand Kishore Prasad, Son of Late Khushi Kant, Resident of Mohalla-
Nirmali Ward No. 8, P.S.- Nirmali, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home (Police), Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Additional Director General of Police (Head Quarter), Bihar, Patna.
4. The Inspector General of Police, Darbhanga Range, Darbhanga.
5. The Deputy Inspector General of Police, Koshi Range, Saharsa.
6. The Superintendent of Police, Supaul.
7. The Deputy Superintendent of Police, Nirmali, Supaul.
8. The Station House Officer, Nirmali Police Station, Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Adv & Mr. Rohit Kumar, Adv

For the Respondent/s : Mr. Prabhu Narayan Sharma, AC to AG.

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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 : 04-05-2018

Heard learned counsel for the parties.

After perusing the counter affidavits, filed on behalf of the State, it appears that steps are being taken for recovery of the concerned person and investigation is being done, however, neither the boy nor his dead body has been recovered, as yet. It has been further been submitted that Special Investigation Team has been also constituted for the said purpose.



In such a situation, we are of the view that since the police is already taking steps, no purpose would be served if this writ petition is kept pending.

Accordingly, the same stands disposed of. However, if the petitioner is still aggrieved and is of the view that proper investigation is not being done then he would be at liberty to move before the concerned Magistrate in terms of the decision of the Apex Court in *Sakiri Vasu vs State of U.P. & Ors* reported in *(2008) 12 SCC 409*, which was reaffirmed in *Sudhir Bhaskarrao Tambe vs. Hemant Yashwant Dhage and Ors* reported in *(2016) 6 SCC 277*.

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
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