

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1827 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- GAYA

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1. Lalan Prasad Sinha son of Sri Survanshi Prasad resident of village - Badhki Nawada, P.S. Chandauti, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Director General of Police, Government of Bihar, Patna.
3. The District Magistrate, Gaya.
4. The Superintendent of Police, Gaya.
5. The Station House Officer, Chandauti, District - Gaya.
6. Guddu Choudhary son of Suresh Choudhary resident of Village - Alipur, P.S. - Buniyadganj, District - Gaya.
7. Nanhe Manjhi son of Luchu Manjhi resident of village - Badhki Nawada, P.S. Chandauti, District - Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinay Mishtry

For the Respondent/s : Mr. Prabhu Narayan Sharma, A.C. to AAG

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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: 03-08-2018

Heard learned counsel for the parties.

This writ application has been filed by the petitioner for direction to the respondents authorities for recovery of his son who has been kidnapped and for which Chandauti P.S. Case No.62 of 2018 is instituted. But he is aggrieved that police is not making proper investigation.

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.

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 Uttar Pradesh (2008)12 SCC 409* which was reaffirmed in *Sudhir Bhaskarrao Tambe Vs. Hemant Yashwant Dhage & Ors. (2016)6 SCC 277*.

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

Sanjeev/-

AFR/NAFR	NAFR
CAV DATE	NA
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