

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No 1998 of 2018

Arising Out of PS. Case No.-131 Year-2017 Thana- KHANPURA District- Samastipur

Ram Prasad Mahto son of Late Darsi Mahto Resident of Village - Bujurg
Dwar, Sivaisingpur, Police Station Khanpur, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna.
2. The Superintendent of Police, Samastipur.
3. The Sub-Divisional Police Officer, Sadar, Samastipur.
4. The S.H.O. Khanpur, District - Samastipur.
5. The Investigating Officer, Khanpur Police Station Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr Pramod Kumar Singh, Advocate
For the Respondent/s : Mr Utsav Kumar, AC to GA IV

CORAM: HONOURABLE DR JUSTICE RAVI RANJAN
and
HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE DR JUSTICE RAVI RANJAN)

4 01-10-2018

It is stated that the Superintendent of Police, Samastipur has been transferred and he has joined at his new assignment, therefore Deputy Superintendent of Police and the Investigating Officer are present.

It is further stated that in the 164 Criminal Procedure Code statement, the writ petitioner/informant has taken another name, whereas, in the first information report, he had taken another name.

In such a situation, this writ petition is disposed of with a direction to the police authorities to complete the



investigation and make recovery of the grand daughter of the writ petitioner/informant.

In case of failure, it would be open for the writ petitioner/informant to move before the Court concerned, which is in seisin of the matter, in view of the decisions of the Apex Court rendered in the cases of *Sakiri Vasu -Versus- State of Uttar Pradesh & Others, (2008) 2 Supreme Court Cases 409* and *Sudhir Bhaskarrao Tambe -Versus- Hemant Yashwant Dhage & Others, (2016) 6 Supreme Court Cases 277*.

Personal appearance of the Deputy Superintendent of Police and the Investigating Officer is dispensed with.

(Dr Ravi Ranjan, J)

(Madhuresh Prasad, J)

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