

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.194 of 2017

Arising Out of PS. Case No.-312 Year-2014 Thana- NOORSARAI District- Nalanda

Renu Devi wife of Late Ranjeet Yadav, resident of Village- Chakdaudpur,
P.S.- Noorsarai, Dist- Nalanda.

... .. Petitioner

Versus

1. The State Of Bihar Through Chief Secretary, Government Of Bihar, Patna
2. The D.G.P. Bihar, Patna.
3. The Superintendent of Police, Nalanda.
4. The Deputy Superintendent of Police, Nalanda.
5. SHO of Noorsarai Police Station, Distt- Nalanda.

... .. Respondents

Appearance :

For the Petitioner/s : None

For the Respondent/s : Ms Prachi Pallavi, A.C. to A.G.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 08-07-2019 No one appears for the petitioner.

The prayer of the petitioner in the instant writ petition is for a direction to the respondents to apprehend the absconder accused, namely, Jagdeo Yadav and Manoj Yadav, who are named in the FIR in connection with Noorsarai P.S.Case No. 312 of 2014 registered inter alia under Section 302 of the Indian Penal Code.

A counter affidavit has been filed on behalf of the State on 01.05.2017 wherein it is stated that there were 16 accused persons named in the FIR. On the basis of the statement of witnesses and investigation made by the investigating officer, the case has been found true against the accused persons. A charge-sheet has already been submitted before the court vide charge-



sheet no. 12 of 2015 dated 31.01.2015 against nine accused persons and a supplementary charge-sheet no.49 of 2015 dated 16.04.2015 has been submitted showing the accused Jagdeo Yadav and Manoj Yadav @ Shambhu Yadav as absconder.

Learned counsel for the State submitted that the police have investigated the case sincerely and have taken all necessary steps in order to ensure that the accused persons sent up for trial be produced before the court.

It is not known as to what happened to those two absconding accused persons after the counter affidavit was filed on 01.05.2017.

Having regard to the facts and circumstances of the case, since the police have already taken necessary steps in the case, no mandamus is required to be issued.

The application is dismissed with liberty to the petitioner to move before the court concerned, if the police have yet not produced the absconding accused persons in the court for trial.

(Ashwani Kumar Singh, J)

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