

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.556 of 2017

Arising Out of PS. Case No.- Year-1111 Thana- District-

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Tetar Yadav son of Late Fulchi Yadav resident of village - Warsabad, P.S.-
Shambhuganj, District - Banka.

... .. Petitioner

Versus

1. The State of Bihar through S. P. Banka
2. The Director General of Police, Bihar, Patna.
3. Superintendent of Police, Banka.
4. Deputy Superintendent of Police, Banka.
5. S.H.O. Shambhuganj Police Station Dist - Banka.
6. Bisheshwar Yadav
7. Asesar Yadav
8. Chandar Yadav
All sons of Late Mano Yadav
9. Pabo Devi widow of Late Mano Yadav
10. Tuniya Devi wife of Bisheshwar Yadav
11. Rabindra Yadav Son of Bawant Yadav
All residents of Village - Warsabad, P.S.- Shambhuganj, District - Banka.

... .. Respondents

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Appearance :

For the Petitioner : None.
For the Respondent-State: Mr.Md. Nadim Seraj, GP-5

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 05-08-2019

No one appears for the petitioner. Learned counsel for
the State is present.

2. This application under Article 226 of the
Constitution of India has been filed by the petitioner for
commanding the official respondents particularly Station House
Officer, Shambhuganj Police Station, Banka to institute a first



information report and make proper investigation and thereafter to take proper adequate legal action against accused-cum-private respondent nos. 6 to 12.

3. In the writ petition, it has been pleaded that respondent no. 3 to 5 are not discharging their duties for which they have been authorized, as a result of which the private-respondents have been emboldened to commit crime and they have taken law in their hands.

4. In the counter-affidavit filed on behalf of respondent no. 3, it has been stated that in the light of allegation made by the petitioner, the Superintendent of Police, Banka directed the Station House Officer, Shambhuganj Police Station to inquire into the matter and take action with regard to the complaint of the petitioner and submit a report immediately.

5. In compliance of the aforesaid direction, Station House Officer, Shambhuganj Police Station submitted his inquiry report vide D. R. No. 994/17 dated 02.05.2017 stating therein that earlier, no petition was filed by the petitioner in the police station. Further, in this regard, the petitioner was contacted and on the basis of his written petition, a case bearing Shambhuganj P. S. Case no. 75/17 dated 02.05.2017 was instituted against Abhay Yadav and Bindehswari Yadav and their wife under



Sections 323, 379 and 506/34 of the Indian Penal Code, as there is allegation that they snatched Rs.12000/- from the petitioner and, on demand, they assaulted and threatened him to kill.

6. As the grievance of the petitioner has already been redressed and a police case has already been registered, the application has become infructuous. It is dismissed, accordingly.

(Ashwani Kumar Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.08.2019
Transmission Date	

