

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3712 of 2018

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In The Matter Of Letter Dated 15.02.2018 Of Sri Bhola Pandit, District
Katihar

... .. Petitioner/s

Versus

The State of Bihar and Ors

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr..

For the Respondent/s : Mr. Anshuman Singh, AC to AG.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 12-07-2019

This Public Interest Litigation was registered on the basis of a letter addressed by the aggrieved to Hon'ble the Chief Justice of this Court. The matter was taken up by a Bench presided by Hon'ble the Chief Justice on 26.02.2018 and learned Advocate General was requested to seek instructions on the grievances raised. The matter after being adjourned on some dates is taken up today when Mr. Anshuman Singh, learned AC to AG by filing a supplementary counter affidavit on behalf of the Superintendent of Police, Katihar submits that final report has been submitted by the Investigating Officer on 09.03.2019 with a report that no discovery of truth could be made. It is further mentioned that daughter of the complainant petitioner could not be recovered.



We find from the letter addressed to this Court that it is because the complaint made by the petitioner was not being acted upon by the local police authorities and the FIR registered arising from Sadar Pranpur P.S. Case No. 87 of 2013 was not progressing on the complaint made by the petitioner regarding the kidnapping of his minor daughter that he was constrained to approach Hon'ble the Chief Justice and it is awaiting the report of the respondent Superintendent Police on the FIR that the matter was adjourned.

One of the complaint made by the complainant petitioner is that in absence of any final report submitted by the Investigating Officer, even the criminal court below at Katihar, was not able to proceed with the matter. The information which constitutes the FIR as well as the letter addressed to the Chief Justice levels certain allegation on some local people of the area which according to the Investigating Agency could not be established and hence the final report.

Since the final report has already been submitted in the matter and the issue is pending before the learned court below for acceptance or otherwise of the same, we do not think it proper to express our opinion on merits of the report but would direct the Court in seisin of the matter to take the matter to its logical conclusion in accordance with law expeditiously. Since this public



interest litigation is arising from a letter addressed by the informant- petitioner, we direct that a copy of our order be transmitted to the District Judge, Katihar for placing it on the records of the Court concerned and taking appropriate steps in the light of the observations above.

With the observations and directions above, we dispose of this Public Interest Litigation.

(Jyoti Saran, J)

(Partha Sarthy, J)

Anjula/-

AFR/NAFR	AFR
CAV DATE	NA
Uploading Date	27.07.2019
Transmission Date	NA

