

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1515 of 2019

Arising Out of PS. Case No.-35 Year-2019 Thana- NAGARNAUSA District- Nalanda

SHRAWAN CHAUDHARY Son of Radheshyam Chaudhary Resident of
Village - Baldha, P.S.- Nagarnausa, District - Nalanda.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH PRINCIPAL SECRETARY,
DEPARTMENT OF HOME, BIHAR, PATNA. Bihar
2. The Director General of Police, Bihar, Patna. Bihar
3. The Deputy Inspector of Police, Central Zone, Patna. Bihar
4. The Superintendent of Police, Nalanda. Bihar
5. The S.H.O., Nagarnausa Police Station, District - Nalanda. Bihar
6. The S.H.O. SC/ST Police Station, Nalanda at Biharsharif. Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bhola Prasad
		Mr. Mukesh Kumar Jha
For the State		Mr. Ruchikar Jha, AC to SC 8

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

18-11-2019

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The present writ petition has been filed “*for direction to the respondents police official to make proper and fresh investigation in Nagarnausa P.S. Case No. 35 of 2019 instituted for offence u/s 363, 365, 504, 506 and 34 of I.P.C. and Section 3(i) of SC/ST Act, later on Section 302/201 of I.P.C. was also added and take necessary action against the F.I.R. named accused persons and conclude the investigation within reasonable period and submit final report.*”

3. Learned counsel for the petitioner states that the petitioner's wife Subidha Devi had been kidnapped by the FIR



accused persons and subsequently raped and killed. In this connection, an FIR in Nagarnausa P.S. Case No. 35 of 2019 was instituted, but the police have become inactive and are not conducting the investigation in this case in a fair and proper manner. An application in this regard has also been filed before the court of 1st Additional District and Sessions Judge-cum-Special Judge, SC/ST Act, Nalanda at Bihar Sharif on 13.06.2019 (page 25 of the petition).

4. Having heard the parties and on consideration of the materials on record, this Court is of the view that the ends of justice will be met by directing the 1st Additional District and Sessions Judge-cum-Special Judge, SC/ST Act, Nalanda at Bihar Sharif to consider and dispose of the aforesaid application dated 13.06.2019, if pending, on its own merit and in accordance with law.

5. The writ petition stands disposed of as above.

(Vikash Jain, J)

HR/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	21. 11.2019
Transmission Date	21. 11.2019

