

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.89 of 2020

Arising Out of PS. Case No.-97 Year-2017 Thana- BRAHMPURA District- Muzaffarpur

DILIP KUMAR SAH Son of Jamun Sah @ Yamuna Sah Resident of Mohalla - Sariyaganj, Dhobiya Gali, Police Station - Town, District - Muzaffarpur. Presently resides at Mohalla - Brahampura, Brij Bihari Gali, Sumitra Vivah Bhawan, Police Station - Brahampura, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH DIRECTOR GENERAL OF POLICE, BIHAR, PATNA
2. The Chief Election Commissioner of India, New Delhi. Delhi.
3. The State Election Commissioner of Bihar, Patna.
4. The Inspector General of Police, Tirhut Range, Muzaffarpur.
5. The District Magistrate - Cum- District Election Commissioner, Muzaffarpur.
6. The Senior Superintendent of Police, Muzaffarpur.
7. The Deputy Superintendent of Police, East Muzaffarpur. District - Muzaffarpur.
8. The officer - In charge of Brahampura Police Station, District - Vaishali at Hajipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Mazharul Hassan
For the ECI	:	Mr. Siddhartha Prasad
For the State	:	Mr. M. Nasrul Huda Khan, S.C.-1
		Ms. Babita Kumari, A.C. to S.C.-1

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 25-02-2020 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the Election Commission of India. Learned counsel for the State is also present.

The petitioner seeks a direction from the Court to the authority concerned to investigate and take proper action against the person who has fraudulently used his father's photographs in



the election voter slip though his father is said to have been kidnapped in the year 2017.

Learned counsel for the Election Commission of India points out that the petitioner has moved this Court regarding the F.I.R. which was instituted with reference to the disappearance of his father which has not been investigated properly in Cr. W.J.C. No. 2001 of 2017 which is still pending before this Court. He thus submits that, if at all, any misuse of his father's photograph has been made, he could have brought to the notice of the investigating authorities of that case which after due enquiry could have been forwarded to the Election Commission for appropriate action.

Considering the aforementioned submissions made by the learned counsel for the Election Commission of India, learned counsel for the petitioner prays liberty to withdraw this application and seeks permission to bring all these facts before the notice of the Court in the earlier writ which is still pending.

Liberty so prayed for, is granted.

The application is dismissed as withdrawn.

(Anjana Mishra, J)

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