

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3439 of 2018

In
Criminal Writ Jurisdiction Case No.1336 of 2016

Meera Jha Wife of Late Shatrughan Jha, Resident of Village- Seikhpura,
Akhara Ghat, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sri Amir Subhani, The Home Secretary, Government of Bihar, Patna.
3. Sri K.S. Dwivedi, The Director General of Police, Bihar, Patna.
4. Smt. Harpreet Kaur, The Senior Superintendent of Police, Muzaffarpur.
5. Dr. Manjit Singh, The Superintendent of Police, Vaishali at Hajipur.
6. Smt. Malti Kumari, The Deputy Superintendent of Police, Vaishali at Hazipur.
7. Sri Chhotan Kumar, The Officer-in-Charge of Rajapakar, Police Station- Vaishali at Hazipur.
8. Tohid Parvez, The Superintendent of Police, C.I.D., Bihar, Patna.
9. Sri Nagendra Prasad, The Superintendent of Police, Patna, Central Bureau of Investigation.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amit Kumar Anand
For the State	:	Mr.Anshuman Singh, AC to AG
For the CBI	:	Mr. Bipin Kumar Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 29-01-2020 By the order dated 31.01.2018 passed in Cr.W.J.C.
No.1336 of 2016, this Court in its concluding part recorded as
under:-

“In the circumstances, instead of keeping the writ application pending, the matter is being referred to the D.G.P., Bihar, Patna in view of the statement made by this petitioner in paragraph12 of the writ application. If he has already referred the matter to the C.I.D., an appropriate direction be issued to the said



Department to take up the matter with some urgency and properly investigate the case without losing further time. The threat perception of the family of the petitioner may also be got assessed in accordance with law and if required provide security like any other citizen of the State.

If the investigation is still in the hand of the local P.S. then the local police may be directed to conclude the investigation without further delay and investigation by the C.I.D. or the local police must be concluded and the investigation report be submitted in accordance with law in the court below within a period of four months from the date of receipt/production of a copy of this order.

The petitioner will be at liberty to file an appropriate application in the court below, if so required, for proper investigation keeping in view the judgment of the Hon'ble Supreme Court in the case of Sakiri Vasu Vs. State of U.P. & Ors. reported in (2008) 2 SCC 409 which has been recently followed in the case of Sudhir Bhaskarrao Tambe Vs. Hemant Yashwant Dhage & Ors. reported in (2016) 6 SCC 277.

The application stands disposed of with the observation and directions made above."

In the present contempt application, there is nothing to show that the petitioner had approached the court below in terms of the liberty granted to the petitioner.

On the other hand, learned counsel for the State has



submitted with reference to the show cause filed on behalf of the opposite party no.5 i.e. the Superintendent of Police, Vaishali that the charge-sheet has already been filed in the court below. As against one of the accused, the investigation is still going on. It is also stated that against the said one accused proclamation under Section 82 Cr.P.C. has been claimed but the same has not been received from the court.

To this Court it appears that the show cause is not very categorical as regards the steps taken against absconding accused and/or filing of the charge-sheet as there are some typographical errors also, but in the present form of the contempt application where there is no statement of the petitioner that in terms of the liberty granted by the learned Writ Court the petitioner had moved in the court below, this Court would not proceed with the present contempt application. This application is, thus, dropped.

It will, however, be open for the petitioner to file a fresh contempt application, if occasion so arises.

(Rajeev Ranjan Prasad, J)

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