

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1640 of 2019

Arising Out of PS. Case No.-255 Year-2017 Thana- MANSI District- Khagaria

Reshami Devi @ Rashmi Devi W/o Late Nirmal Kumar Singh R/o Village and Post- Sonepura, Ward No. 06, P.S.- Simari Bakhtiyarpur, District- Saharsa.

... .. Petitioner

Versus

1. The State of Bihar through Addl. Chief Secretary, Home Department, Bihar
2. The Director General of Police, Bihar.
3. The H.O.D., Deptt. of Forensic Medicine and Toxicology (F.M.T.), P.M.C.H., Patna.
4. The Deputy Inspector General of Police, Munger Region, At Munger.
5. The Superintendent of Police, Khagaria, District- Khagaria.
6. The S.H.O., P.S. Mansi, District- Khagaria.
7. The Investigating Officer, S.I. Sunil Kumar Singh (of the case Mansi P.S. Case No. 255/17), P.S.- Mansi, District- Khagaria.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.Ajit Kumar, Advocate
		Mr.Dinkar Kumar, Advocate
For the Respondent/s	:	Ms.Divya Verma, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 13-02-2020 Heard learned counsel for the petitioner and learned counsel for the State.

A counter affidavit on behalf of respondent no. 5 has been filed today.

It is the submission of learned counsel for the petitioner that now investigation of the case is complete in all respect and a charge-sheet has been submitted in this case on 09.01.2020.



As regards the original postmortem examination report, it is submitted that the same was received by Patrakar Nagar Police Station, Patna and the same has not been received earlier at Mansi Police Station. The PMCH refused to issue certified copy of postmortem report stating that the certified copy of the report could be made available only upon the request of the court and the same cannot be supplied to the Investigating Officer hence charge-sheet has been submitted upon the attested copy of the photocopy of the postmortem report by the Investigating Officer.

Learned counsel for the State has submitted that she has got oral instruction today to submit that the office of the Superintendent of Police, Khagaria is ready to provide certified copy of the postmortem report and it is in fact ready and petitioner was called upon to receive the same but she has not come because of her illness, as informed.

In the totality of the facts and circumstances of the case, in order to redress the grievance of the petitioner this Court directs the office of the Superintendent of Police, Khagaria (Respondent No. 5) to send the certified copy of the postmortem report on the address of the petitioner as stated in the present writ application by registered post/speed post



without further delay. The concerned respondent must appreciate that widow is waiting for completion of investigation of this case for more than two years and at this stage, if respondent no. 5 has come out with a stand that investigation has been completed now and the certified copy of postmortem report is ready, he must show some more sincerity and sensitiveness towards the petitioner by sending the report as stated above on her address.

This application stands disposed off.

(Rajeev Ranjan Prasad, J)

vats/ved

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