

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.12 of 2020

Arising Out of PS. Case No.-162 Year-2019 Thana- BISFI District- Madhubani

MD. NURULLAH KHAN S/o Late Md. Suleman Khan R/o village-
Ausi Gate, Babhangawan, P.S.- Bisfi, District- Darbhanga
... .. Petitioner

Versus

1. The State Of Bihar Through Director General Of Police, Bihar, Patna
2. The Superintendent of Police, Madhubani Bihar
3. The Deputy Superintendent of Police, Benipatti, District- Madhubani Bihar
4. The SHO, P.S. Bisfi, District- Madhubani Bihar
5. Sri Ajay Kumar, Sub-Inspector, P.S. Bisfi, Dist- Madhubani cum I.O. of Bisfi P.S. Case No. 162 of 2019, Bihar
6. Julfikar Abdul Nasir @ Mintu S/o Late Fasle Rahmaan Resident of Ausi Gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
7. Md. Ekramul Haq @ Dulare S/o Md. Nazim Khan Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
8. Md. Arkan S/o Ekbal Ahmed Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
9. Jamal Abdul Nasir S/o Fasle Rahman Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
10. Md. Firoj Khan S/o Late Md. Daud Khan Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
11. Md. Mumtaj Khan S/o Late Md. Daud Khan Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
12. Md. Arman @ Tausif S/o Ekbal Ahmed Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
13. Md. Azad Khan S/o Late Harun Khan Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
14. Md. Gulshad Khan S/o Late Harun Khan Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
15. Gulrej Khan S/o Md. Naimatullah Khan Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
16. Md. Naimatullah Khan S/o Yusuf Khan Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
17. Md. Rijwan Khan S/o Md. Sabir Khan Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
18. Md. Shamsheer Khan Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani



19. Sadre Alam Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
20. Md. Sohail S/o Nurajam Khan Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
21. Ekbal Ahmed @ Allahuddin S/o Late Idrish Khan Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
22. Md. Eklakh Khan S/o Mustafa Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
23. Sonu Khan S/o Mumtaj Khan Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
24. Afroj Khan @ Mintu S/o Mumtaj Khan Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
25. Kasim Khan S/o Md. Emteyaj Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani
26. Javed Khan @ Pinku S/o Amir Khan Resident of Ausi gate and Ausi Dih Tola, P.S.- Bisfi, District- Madhubani

... .. Respondents

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Appearance :

For the Petitioner/s : Ms. Aprajita, Advocate
For the Respondent/s : Mr. Prabhat Kumar Verma, AAG-3

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-02-2020 Heard learned counsel for the petitioner and

learned counsel for the State.

Petitioner in the present case is seeking a direction

in the nature of a writ of mandamus to the respondents to

hold a fair and impartial investigation in connection with

respect to Bisfi P.S. Case No. 162/2019 dated 11.06.2019

under Sections 341, 323, 324, 307, 354, 448, 379, 504,

506 and 34 of the Indian Penal Code read with Section 27

of the Arms Act.



Learned counsel for the petitioner submits that police is not taking appropriate steps towards proper and fair investigation and that the accused of the case has not been arrested and also that in order to put pressure upon the petitioner a false case has been registered against him.

Learned counsel for the State has drawn attention of this court towards Annexure '5' to the writ application which is in the nature of a supervision report of the Superintendent of Police, Madhubani in which he has issued certain directions to the Sub-Divisional Police Officer, Benipatti to supervise the case once again and after taking a view on the basis of the evidences available a progress report be submitted.

This case has been registered on 11.06.2019 and the supervision note as contained in Annexure '5' shows that the Superintendent of Police is himself supervising the case and directions are being issued to the Sub-Divisional Police Officer and the Investigating Officer.

In that view of the matter, this court finds no reason at this stage to issue any further direction save and



except to say that the Superintendent of Police, Madhubani shall himself supervise the case as he is doing and shall ensure early completion of investigation and submission of a police final report in accordance with law in the court below.

This Writ Application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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