

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.43 of 2019

Arising Out of PS. Case No.-90 Year-2017 Thana- BIKRAM District- Patna

Kanti Devi, w/o Late Viran Yadav @ Viran Rai rendered of Mahajpura, Andra
Chaowki P.S- Bikram, P.O.- Gorkhari Dist- Patna

... .. Petitioner

Versus

1. The State Of Bihar Through The Chief Secretary, Govt. Of Bihar, Patna
2. Principal Secretary, Dept of Home, Bihar, Patna
3. Director General-cum-Inspector General of Police, Bihar Patna.
4. The Senior Superintendent of Police, Patna.
5. The Jail Superintendent, Beur Jail, Patna.
6. Station House Officer, Beur P.S., Patna.
7. Station House Officer, Bikram P.S., Patna.
8. Medical Officer, Beur Jail, Patna.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Kumar Rajeev, Advocate
For the Respondent/s : Mr. Saroj Kumar Sharma, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-09-2022 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner in the present case is looking for a direction
to the respondent police officers not below the rank of Deputy
Inspector General of Police or by Central Bureau of
Investigation to enquire into the cause of death of her husband
in judicial custody at Beur Jail.

It is the case of the petitioner that her husband was
taken into custody in connection with Bikram P.S. Case No. 90
of 2017 dated 18.04.2017 under Sections 302/120B/34 of the
Indian Penal Code. He was produced in the court below on
08.09.2017 and 20.09.2017. The petitioner was informed vide



Memo No. 7551 dated 28.09.2017 that her husband was declared dead at 6.50 AM at P.M.C.H. and she was called upon to collect the dead body.

It is submitted that her husband was physically fit and she has reasons to believe that some mishappening has occurred inside the Beur Jail and only to save their skin, the police authorities took her husband to P.M.C.H. where he was declared dead. It is submitted that a proper inquiry in respect of the cause of death is necessary.

In the given facts and circumstances of the case, this Court is of the considered opinion that the Director General of Police, Bihar (Respondent No. 3) shall consider the statements made in the writ petition itself as a representation on behalf of the petitioner and shall constitute an inquiry by a team of at least three responsible and Senior Police Officers to examine the cause of death of husband of the petitioner. The said team shall conduct an inquiry into all aspects of the matter leading to the death of husband of the petitioner and submit a report within a period of four months from the date of communication of this order. The petitioner as well as other the concerned authorities including the Jail Superintendent, Beur shall co-operate in course of inquiry. A copy of the inquiry report shall be sent to the



petitioner.

It is needless to say that based on the inquiry report, consequential action shall be taken by Respondent No. 3.

Petitioner, if aggrieved by the enquiry report may raise her grievance in accordance with law.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

