

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
Criminal Writ Jurisdiction Case No.1230 of 2017**

Arising Out of PS. Case No.-11 Year-1994 Thana- SC/ST District- Saran

Surendra Chaudhary Son of Sri Narain Chaudhary, resident of Mohalla- Bada Telpa, P.S. Chapra Nagar, District- Saran.

... .. Petitioner

Versus

1. The State Of Bihar Through The Principal Secretary Home Department Government Of Bihar, Patna
2. The Director General of Police, Bihar, Patna.
3. The Superintendent of Police S.P., Vaishali.
4. The S.H.O., Hajipur SC/ST Police Station.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.Md. N. H. Khan, SC-I

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 11-11-2022 No one appears for the petitioner. Mr. Nasrul Hoda Khan, learned SC-1 for the State is present.

In this case the petitioner is praying for the following reliefs:

“A. For issuance of an appropriate writ/writs for commanding and direction to the respondent no. 3 to conduct further investigation U/s 173(80 of Cr.PC for recording the statement of witnesses whose name given in the Hajipur SC/ST P.S. Case No. 11/1994 dated 20-10-1994 and submit supplementary charge sheet in connection with aforesaid SC/ST case, which is pending for the trial in the court of 1st Additional Sessions Judge cum Special Judge, Saran at Chapra.

B. For the direction to take appropriate action against the accused person named in the Hajipur SC/ST P.S.



Case No. 11/1994 dated 20-10-1994 for securing their presence to face trial, learned court below has taken cognizance on 15-12-1994 U/s 379, 201 of IPC and U/s 3/4 of the SC/ST (Prevention of Atrocities) Act, 1989 against the accused persons, but unfortunately police personnel have not taken any appropriate step in the interest of prosecution case, for which petitioner in hope of justice waiting since year 1994. And for any other relief/reliefs for which the petitioner is found to be entitled under the provision of law involved in the present case.”

On perusal of the writ application itself, it appears that in this case the police has submitted a final form/report in the learned court below on 31.10.2014 for the offence under Section 379, 201 of the Indian Penal Code and under Section 3/4 of the SC/ST (Prevention of Atrocities) Act, 1989 against the accused persons. The learned court below had taken cognizance of the offences on 15.12.2014 against two accused persons.

Three years thereafter the petitioner filed this writ application seeking further investigation of the case. Today, no one has appeared on behalf of the petitioner to press this writ application.

In the given facts and circumstances, this Court has reason to believe that the petitioner is no longer



interested in pursuing the matter, even otherwise there is an inordinate delay in seeking a direction for further investigation.

This Writ Application is, thus, dismissed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

