

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.431 of 2021

Arising Out of PS. Case No.-102 Year-2020 Thana- MOTIHARI TOWN District- East
Champaran

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IZHAR KHAN S/O LATE ALI RAZA KHAN, RESIDENT OF
DARIYAPUR (EAST) PS SANGRAMPUR DISTRICT- EAST CHAMPRAN

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. THE DIRECTOR GENERAL OF POLICE, BIHAR, PATNA.
3. THE SENIOR SUPERINTENDENT OF POLICE, MOTIHARI, EAST CHAMPARAN.
4. THE S.H.O. MOTIHARI TOWN P.S., EAST CHAMPARAN.
5. THE INVESTIGATING OFFICER, MOTIHARI TOWN P.S., EAST CHAMPARAN.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Tanweer Kamal,Adv.

For the Respondent/s : Mr.Ajay Kumar Sharma, AC to AG.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-09-2022 Learned counsel for the petitioner shall remove all the defects as pointed out by the Stamp Reporter within four weeks from today.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner in this case is aggrieved and dis-satisfied with the investigation of Motihari Town P.S. Case No. 102 of 2020.

It is stated that the case has been registered against son of the petitioner who was seen taking away the victim girl on his motorcycle. The son of the petitioner was teaching the daughter of the informant for two years.



The petitioner submits that in this case chargesheet has been submitted only against Zakir Khan finding that there was no material against other members of the family who were implicated in this case. Submission is that such implication was only to pressurize the petitioner to accept the marriage between the daughter of the informant and Zakir Khan. It is thus his submission that this case requires re-investigation.

In the present case, this Court finds that the case has been duly investigated and only because the chargesheet has been filed against one accused and during investigation the petitioner was arrested in connection with this case, it cannot be said to be a plausible ground to direct re-investigation of the case.

If the petitioner has any grievance against his arrest, he may seek appropriate remedy as may be advised to him.

This application stands disposed of accordingly.

Certified copy of this order shall be made available only after removal of the defects.

(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'.

