

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2878 of 2017

Arising Out of PS. Case No.- Year-1111 Thana- District-

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Ashok Kumar son of Late Chandradeo Poddar, permanent Resident of
Village- Adampur, P.S.- Khagaul, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar, Through The Principal Secretary, Department Of Home
Police , Bihar, Patna
2. The Director General of Police, Bihar, Patna.
3. The Additional Director General of Police Head Quarter, Bihar, Patna.
4. The Inspector General of Police, Patna Range, Patna.
5. The Deputy Inspector General of Police, Patna Range, Patna.
6. The Senior Superintendent of Police, Patna.
7. The Superintendent of Police, Central, Patna.
8. The Deputy Superintendent of Police, Law and Order, Patna.
9. The Station House Officer, Kotwali Police Station, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Manish Kumar No 13, Advocate Mr.Rohit Kumar, Advocate
For the Respondent/s	:	Mr.Md. Nadim Seraj GP-5 Mr. Iqbal Asif Niazi, AC to GP-5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 19-12-2022 Heard learned counsel for the petitioner and Mr. Iqbal
Asif Niazi, learned AC to GP-5 for the State.

Petitioner, in this case, is aggrieved by and
dissatisfied with the inaction on the part of the then A.S.I. of
Police namely, Darbari Choudhary who had conducted in
inquiry into the unnatural death of the brother of the petitioner
and even as he found that the brother of the petitioner had



committed suicide because of the harassment meted out to him by the family of the girl with whom he was in affair, the said A.S.I. instead of lodging of the F.I.R., proceeded to submit a final form in the court below.

Learned counsel submits that at this stage only in order to save his own skin, in a hurry one case being Kotwali P.S. Case No. 139/2022 has been lodged on 21.03.2022 under Section 306/34 of the Indian Penal Code. In this manner five years precious time have been lost and the grievance of the petitioner could not be taken care of.

Mr. Iqbal Asif Niazi, learned counsel representing the State submits that in fact in course of inquiry of the UD Case itself it had transpired that the brother of the petitioner committed suicide because of the harassment meted out to him by the other side, the A.S.I. had filed a final form, but, at this stage, a First Information Report has been lodged, hence appropriate direction may be issued to the concerned police authority to properly investigate the case and submit a report in the court below.

Having regard to the facts and circumstances of the case, this Court is of the considered opinion that there is an inordinate delay on the part of the concerned police officer in



registration of the First Information Report. This aspect of the matter may be brought to the notice of the disciplinary authority of the concerned police station who will take an independent view of the matter and redress the grievance of the petitioner on this score.

As regards Kotwali P.S. Case No. 139/2022, this Court directs that the Senior Superintendent of Police, Patna shall issue appropriate instructions for proper and impartial investigation of the case and submit a report in the court below within a reasonable time.

This Writ Application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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