

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4251 of 2022

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Mohammad Parwez, Son of Noor Mohammad, R/o Ward No. 04, Krishnapuri Mohalla, Nagarparishad and P.S. and District -Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Home Affairs, Government of Bihar, Patna.
2. The Deputy Inspector General of Police, Saharsa Koshi Division.
3. The District Magistrate, Madhepura.
4. The Superintendent of Police, Madhepura.
5. The S.H.O., Singheshwar Police Station, District - Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rupesh Kumar, Advocate
For the Respondent/s : Mr.Prabhat Kr. Verma (AAG-3)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 25-03-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“i. A writ in the nature of MANDAMUS commanding the respondents to not to detain innocent person in custody and further sent them in judicial custody in mechanical manner in connection with Singheshwar P.S. Case No. 241/2021 dated 23.10.2021 lodged u/s 147, 148, 149, 341, 323, 325, 307, 353, 332, 333, 427, 504, 188 of I.P.C. and Section 27 of Arms Act, against 25 (twenty five) named accused persons and 250(two hundred fifty) other male and female persons by

the informant ASI Rakesh Kumar of Singheshwar Police Station for road block due to protect against illegality committed by Respondent No. 3, 4, 5 along with present Mukhiya namely Chandani Khatoon and his husband Md. Prawez Alam of JajhatSabaila Panchayat.

ii. A writ in the nature of MANDAMUS commanding the respondents to take no coercive steps against persons whose name is not there in FIR as well as other innocent persons whose name has been, implicated falsely in this FIR vide Singheshwar P.S. Case No. 241/2021, due to political and village party politics, since the name has been taken by informant of said case (ASI Rakesh Kumar) from the officers present there, Chaukidar and other Sources, which is clearly stated in FIR itself.

iii. A writ in the nature of MANDAMUS Commanding the respondents to direct the respondents to enquire this matter by free and fair department like C.B.I., C.I.D., etc. since the allegation against respondents No. 2,3,4,5 has already been raised earlier and after the Panchayat election of Jajahat Sabaila Panchayat but none of these respondents have not taken any steps to justify and bring some good solution in this matter rather allegation of bribe is also alleged against the District Magistrate, madhepura and other officers, given by the present Mukhiya of Jajahat Sabaila Panchayat.

iv. A writ in the nature MANDAMUS commanding the respondents to stay the process of arrest, inhuman behaviour done by the Police including respondent No. 3, 4 5, indirectly or directly to support the present Mukhiya of Jajahat Sabaila Panchayat, reason best known of them.

v. A writ in the nature of CERTIORARI for quashing the first information report against non FIR named person who have been added during course of political, arbitrary, illegal malefide, influencing investigation and

arrest in that course, in connection with Singheshwar P.S. Case No. 241/2021 dated 23/10/2021.

vi. Further issue writs, orders, directions as your Lordships may graciously deemed fit proper and just in the fact and circumstance of this case.”

Learned counsel for the petitioner seeks permission to withdraw this petition.

Permission is granted.

This petition is dismissed as withdrawn.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	