

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.292 of 2020

Arising Out of PS. Case No.-97 Year-2017 Thana- BHADAUR District- Patna

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Ram Kishore Saw, Son of Ramvriksh Saw, Resident of Village-Maya Bigha,
P.S-Bhadour, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through The Principal Secretary, Home Department,
Govenment of Bihar, Patna.
2. Principal Secretary, Home Department, Govt. of Bihar, Patna.
3. Inspector General of Police, Central Range, Patna.
4. Deputy Inspector General of Police, Central Range, Patna.
5. Senior Superintendent of Police, Patna.
6. Superintendent of Police, Rural, Patna.
7. Sub Divisional Magistrate, Barh, Patna.
8. Sub Division Police Officer, Barh, Patna.
9. Station House Officer, Bhadour Police Station, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Lal Babu Singh, Advocate
For the S t a t e : Mr. Pawan Kumar, A.C. to A.G.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 20-07-2022 Today, petitioner's counsel as well as learned State

Counsel are present.

The writ petition has been filed for grant of the

following reliefs:

*“(i) Issuance of a direction, order or writ including
writ in the nature of habeas corpus commanding
the concerned respondent authorities under the
State Government to produce/recover the abducted*



person namely Pooja Kumari for which an F.I.R. bearing Bhadour P.S. Case No.97/2017 dated 24/12/2017 has been registered;

(ii) Issuance of a direction, order or writ including writ in the nature of mandamus commanding the concerned respondent authorities under the State Government to take steps against the accused persons named in the aforementioned case for the ends of justice;

(iii) Any other relief or reliefs that the petitioner may be found to be entitled to in the facts and circumstances of the present case.”

There is a specific averment in the counter affidavit filed by the Senior Superintendent of Police, Patna, that the petitioner's wife was recovered by the police on 26.06.2018. Her statement was recorded under Section 164 of the Cr.P.C. and she was also examined medically. The petitioner's wife, as per her free-will, has expressed her desire and proceeded to her parental house after giving an undertaking before the learned Judicial Magistrate on 26.06.2018. Investigation in Bhadour P.S. Case No.97 of 2017, lodged by the petitioner, has concluded with a finding “mistake of facts” and Final Form No. 70 of 2018 dated 11.10.2018 has accordingly been submitted.

Averments made in the counter affidavit have not been rejoined by filing any reply. Petitioner's counsel, however, submits that the petitioner still has some grievances remaining in respect of the manner in which police proceeded with the



investigation.

Reliefs claimed in the instant writ petition therefore
have become infructuous.

With liberty to avail remedy in respect of any other
grievance that the petitioner may have, the writ application is
disposed of.

(Sanjay Karol, CJ)

(Madhuresh Prasad, J)

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