

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.559 of 2022

Arising Out of PS. Case No.-664 Year-2021 Thana- SHEKHPURA District- Sheikhpura

Bipin Kumar (Male), aged about 36 years, S/O- Mundrika Sharma, R/O- Village- Bauri, P.S.- Hulasganj, At present- Mohalla- Shyam Nagar Ward No.: 09, Near Ghora Hospital, P.O. + P.S. + Distt.- Jehanabad, Pin- 804408

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deputy Inspector General of Police, Munger
3. The Superintendent of Police, Sheikhpura
4. The Deputy Superintendent of Police, Sheikhpura
5. The S.H.O. P.S. Sheikhpura (Vinod Ram)
6. Om Prakash Sheikhpura P.S.
7. Priyanka Kumari Sheikhpura P.S.
8. Munna Ray Sheikhpura P.S.
9. Prakash Yadav Sheikhpura P.S.
10. Guddu Kumar Sheikhpura P.S.
11. Manoj Kumar Sheikhpura, P.S.
12. Vinod Kumar Tiggi Sheikhpura P.S.
13. Technical Cell Officer Mob. No. 9934041005 Sheikhpura P.S. & name not known other police (only Identify by face)

... .. Respondent/s

Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mr. Prabhu Narayan Sharma, A.C. to A.G.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
and
HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH)

3 13-09-2022 Nobody appears on behalf of the petitioner.

2. Mr. Prabhu Narayan Sharma, learned A.C. to
learned Advocate General for the State is present.

3. The petitioner has moved the Court for the



following reliefs:

“That this is an application praying for issuance of writ/writs in the name of Habeas Corpus in nature of directing and commanding to the respondents because the respondents have been tortured and brutally beaten in police custody for three days then petitioner’s left side body has been paralysed now he is suffering from critical paralysis. The petitioner Bipin Kumar is under custody since 13.01.2022 in connection with Sheikhpura P.S. Case No. 664/2021, G.R. No.- 1468/2021, initiated on 24.12.2021 registered U/S- 379 of the I.P.C.”

4. A counter affidavit has been filed on behalf of the respondent no. 3 (The Superintendent of Police, Sheikhpura) in which it has categorically been stated that the petitioner was produced before the Chief Judicial Magistrate, Sheikhpura and was remanded to custody and when asked with regard to any complaint against the police, he had replied in the negative. Further, it has been stated that he fell down in the bathroom and was taken to the local hospital from where he was referred to P.M.C.H., Patna and the doctors after treatment have discharged him noting that there was no external injury found on the body.

5. Having regard to the fact that nobody has appeared



to press the application, and more importantly the fact that the petitioner is in custody pursuant to a substantive remand order by the competent Court in a case lodged against him, the present writ for issuance of writ of *habeas corpus* would not lie. Accordingly, the same stands disposed of.

6. However, if the petitioner has any grievance with regard to his treatment within the jail, it shall always be open to him to move before the appropriate forum, in accordance with law.

(Ahsanuddin Amanullah, J)

(Purnendu Singh, J)

Niraj/-

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