

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
Criminal Writ Jurisdiction Case No.17 of 2017**

Arising Out of PS. Case No.-361 Year-2016 Thana- SAHARSA SADAR District- Saharsa

Md. Hayat Khan Son of Md. Mustak Khan, Resident of Village- Saharsa Basti, Ward No.- 38, P.S. and District- Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Director General Cum Inspector General Of Police, Patna
2. The Inspector General of Police, Darbhanga Range/Zone, Darbhanga.
3. The Superintendent of Police, Saharsa.
4. The Sub Divisional Police Officer, Sadar Saharsa, District- Saharsa.
5. The Officer-in-Charge-cum-S.H.O., Sadar Saharsa Police Station, District- Saharsa.
6. The Sub-Inspector of Police Investigating Officer, namely, Md. Nijamuddin, Saharsa Sadar Police Sta
7. Md. Astafir, Son of Late Md. Salim.
8. Md. Obesh Karani @ Chhuna, son of late Md. Karamat.
9. Md. Ashgar, Son of late Md. Wasim, respondents no. 7 to 9 are resident of Village- Saharsa Basti, Ward No. 38, P.S. and District- Saharsa.
10. Md. Imran @ Laddan, Son of Md. Sahamat resident of Village- Dumrail, Ward No. 33, P.S. and District- Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Maya Shankar Mishra, Advocate
For the State	:	Mr.Md. Irshad, AC to SC-1
For the Respondent nos.8&10:		Mr. Md. Sufiyan, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

8 02-09-2022 Initially this writ application was filed seeking a writ of mandamus directing the respondents to conduct proper investigation in Saharsa Sadar P.S. Case No.361 of 2016 dated 26.04.2016 instituted on the basis of the fardbeyan made by the petitioner.

Learned counsel for the petitioner submits that during



the pendency of this writ application the police has submitted a charge-sheet but in the said charge-sheet the main assailant of the petitioner i.e. respondent no.8, who had caused fire arm injury, has been protected. It is submitted that the police had submitted a final form against respondent nos.8 and 10. Learned counsel is, however, not aware as to whether the said final form has been accepted by the learned court below or not.

At this stage, learned counsel for the petitioner seeks permission to withdraw this writ application as well as the interlocutory application seeking liberty to pursue his remedy before the appropriate court in an appropriate jurisdiction in accordance with law.

Mr. Md. Sufiyan, learned counsel appearing for the respondent nos.8 and 10 is also not aware as to whether the final form submitted against them has been accepted.

Mr. Md. Irshad, learned AC to SC-1 is present for the State.

This application is dismissed as withdrawn with the liberty as prayed on behalf of the petitioner.

(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'.

