

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.873 of 2021

Arising Out of PS. Case No.-23 Year-2021 Thana- BIKRAMGANJ District- Rohtas

Romi Kumari @ Pratikcha Devi D/O Sachinand Pandey At Present Resident
Of Shivpur, P.S.- Vikramganj, District- Rohtas.

... .. Petitioner

Versus

1. The State of Bihar
2. The State of Bihar through its Principal Secretary, Home Department, Bihar, Patna.
3. The Director General of Police, Bihar, Patna
4. The District Magistrate Rohtas at Sasaram
5. The Superintendent of Police, Rohtas at Sasaram
6. The Dy. S.P., Bikramganj, Rohtas.
7. The Officer Incharge Vikramganj P.S. Rohtas.
8. The I.O. in the Case of Bikramganj, P.S.- Case No.23/2021 Bihar

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Vikalp, Advocate
For the Respondent/s : Mr. Deepak Kumar, AC to GP-4

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-12-2022 Heard learned counsel for the petitioner and

Mr. Deepak Kumar, learned AC to GP-4 for the State.

By filing this writ application, the petitioner is

seeking the following directions:-

“(i) For a direction to the respondents for disposed of
the representation filed by the petitioner before the
Respondent No .5 (The Superintendent of Police,
Rohtas at Sasaram).

(ii) For a direction to the authority concerned for
proper and fare investigation in connection of
Vikramganj Rohtas P.S. Case No. 23/2021 registered
under Sections 341, 323, 324, 504, 307, 120B of the
Indian Penal Code.



- (iii) For a direction to the authority concerned for immediate arrest the named accused in connection with Bikramganj Rohtas P.S. Case No. 23/2021 u/S 341, 323, 324, 504, 307, 120B of the IPC.
- (iv) For any other/relief/reliefs the petitioner has entitled accordance with law.”

Learned counsel for the petitioner submits that this petitioner is a poor and helpless lady and she has alleged that her husband Punpun Pathak had came at Shivpur (*Naihar* of the victim) with some other persons upon a bike and attacked on her with grievous weapon (*Gadasa*) which caused severe injuries to her. In respect of the same, a case being Vikramganj P.S. Case No. 23/2021 has been registered. Learned counsel has drawn the attention of this Court towards the statement made in paragraph ‘8’ of the counter affidavit filed on behalf of the State which reads as under:-

“That with regard to the statements made in para 8, 9 and 12 to 17 of the writ application, under reply, it is stated that the case has been supervised by the Police Inspector, Bikramganj and submitted his report on 19.08.2021 finding the case true against all the accused persons. The police are constantly raiding at the suspected hide-outs of the accused persons to arrest them. The police has also deputed spy to get information about the absconding persons so as to arrest them as



early as possible.”

Learned counsel for the State submits that police is already in search of the accused persons against whom the case has been found true and in case, the accused persons remain absconding, the Investigating Officer shall take appropriate steps including one to execute the process under Sections 82 and 83 of Cr.P.C. after obtaining the same from learned court below.

Having regard to the stand taken on behalf of the State, this writ application is being disposed of with a direction to the Superintendent of Police, Rohtas to issue necessary instructions for arrest of the absconding accused and in case he does not surrender or is not arrested within a reasonable period, the Investigating Officer must take steps to execute process under Section 82 and 83 of Cr.P.C after obtaining an appropriate order from the learned court below.

(Rajeev Ranjan Prasad, J)

ishika/-

U		T	
---	--	---	--

