

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM THE OFFICIAL CHAMBERS VIA VIDEO APPLICATION)
Criminal Writ Jurisdiction Case No.781 of 2022**

Arising Out of PS. Case No.-137 Year-2022 Thana- ADAPUR District- East Champaran

1. Krishna Kumar Son Of Late Ram Ekbal Sah @ Ram Ekbal Prasad R/O- Mohalla-Ward No.14, Raxaul, P.S.- Raxaul, Dist.-East Champaran At Motihari
2. Mukesh Kumar Son Of Late Bare Lal Sah R/O- Mohalla-Ward No.14, Raxaul, P.S.- Raxaul, Dist.-East Champaran At Motihari

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Director General Of Police, Patna Bihar
2. The Deputy Inspector General, Muzaffarpur Bihar
3. The Inspector General Of Police, Bettia Bihar
4. The Superintendent Of Police, East Champaran At Motihari Bihar
5. The Dy. S.P., Raxaul, East Champaran At Motihari Bihar
6. The S.H.O. Of Adarpur Police Station, District-East Champaran At Motihari Bihar
7. The S.H.O. Of Raxaul Police Station, District- East Champaran At Motihari Bihar
8. Bikram Kumar Son Of Om Prakash Prasad R/O- Bank Road, Raxaul, P.S.- Raxaul, Dist.- East Champaran
9. Radhey Shyam Kumar Son Of Gauri Shankar Prasad R/O- Raxaul Ward No.20, P.S.- Raxaul, Dist.- East Champaran
10. Tunnu Prasad Son Of Late Parasnath Prasad R/O- Vill- Bheriyahi, P.S.- Adapur, Dist.- East Champaran

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate
For the Respondent/s : Mr.Iqbal Asif Niazi, AC to GP-5

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

2 21-10-2022 Heard Mr. Ashok Kumar Jha, learned counsel for the

petitioners and Mr. Iqbal Asif Niazi, learned AC to GP-5 for the

State.

At the outset, learned counsel for the petitioners



submits that at this stage Adapur P.S. Case No. 137/2022 stands fully investigated and upon investigation the Dy.S.P. has recommended for action under Section 182 and 211 of the Indian Penal Code against the informant (respondent no. 10) but his recommendation has been kept pending at the level of Superintendent of Police, East Champaran at Motihari.

Learned counsel submits that in the aforesaid view of the matter so far as the prayer of the petitioners in the present writ application is concerned, it has become infructuous, but, at the same time, learned counsel for the petitioners endeavours to submit that in fact the petitioners have been falsely implicated in several cases and he is being threatened again and again of such false implication, therefore, a direction may be issued to the Senior Superintendent of Police or Superintendent of Police, East Champaran at Motihari (respondent no.4) to properly investigate the case.

Learned counsel for the State submits that so far as the present writ application is concerned, it is confined to only Adapur P.S. Case No. 137/2022. If the petitioners have got anything to say to Superintendent of Police, East Champaran, Motihari (respondent no. 4) they are always at liberty to bring it to the notice of the competent authority and thereupon



appropriate investigation shall take place.

Having regard to the submissions noted hereinabove, this Court is of the considered opinion that so far as the present case is concerned, now the petitioners have no reason to say that in this case the investigation has not been properly done. Dy.S.P. is said to have submitted his recommendation to the Superintendent of Police, East Champaran, Mothiari (respondent no. 4).

In the aforesaid view of the matter, the Superintendent of Police, East Champaran at Motihari (respondent no. 4) is directed to take a view, supervise the case and ensure early completion of the entire investigation and submission of report in terms of Section 173 Cr.P.C. in the learned court below within a reasonable time.

So far as the other cases are concerned, the petitioners may take appropriate steps in accordance with law, as may be advised to him.

This Writ Application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

