

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.578 of 2017

Arising Out of PS. Case No.-44 Year-2015 Thana- DHAKA District- East Champaran

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Anshu Priya @ Simran Khatoon D/o Late Rajeev Kumar Singh R/o Vill -
Rasalpur, P.S. - Dumra, Dist. Sitamarhi at present C/o Shri Nagendra Mishra,
R/o Vill. - Norha, P.S. - Bajpatti, Dist. Sitamarhi.

... .. Petitioner

Versus

1. The State Of Bihar, through the Chief Secretary, Govt. Of Bihar, Patna
2. The Principal Secretary, Deptt. of Home, Govt. of Bihar, Patna.
3. The D.G.P. Govt. of Bihar, Patna.
4. The I.G. (Prosecution) Govt. of Bihar.
5. The D.I.G. Champaran Range, Bettiah, West Champaran.
6. The S.P. East Champaran, Motihari.
7. The Dy. S.P. Sikrahna, Dhaka, Distt. East Champaran.
8. The Officer Incharge, Dhaka Police Station, Distt. East Champaran.
9. The C.B.I. through its S.P. Patna (Bihar)
10. The Superintendent of Police, Sitamarhi.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Sharma, Advocate
For the Respondent/s : Mr. Sheo Shankar Prasad, SC-8

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 11-10-2022 Heard learned counsel for the petitioner and Mr. Sheo
Shankar Prasad, learned SC-8 for the State.

The counter affidavits on behalf of respondent nos. 6
and 10 have been placed before this Court. A perusal thereof
would show that so far as Dhaka P.S. Case No. 44 of 2015 in
respect of which the present writ application has been filed is
concerned, the allegations are against four named accused
persons. Out of those four accused, the prime accused is one
Shamim Akhtar who is under custody of Nepal Police and for



his extradition steps have been taken. Another accused Raju Miyan was arrested on 26.02.2015 and has been remanded to judicial custody. A chargesheet has been filed against him. It is stated that non-FIR accused Ishrar Alam was also arrested and remanded to judicial custody and against him also chargesheet has been filed. As regards two named accused Khalid and Chandan, it is stated that regarding them verifications have not been done. Similar is the position with respect to the name and address of Deepak Tiwari and the non-FIR accused Beauty, Chandni, Dr. Motiullah, Manish Ranjan, Puja Najmi Raima, Veenita, Imran, Majid and such other accused.

Learned counsel for the State submits that the Investigating Agency is likely to complete the verification and conclude the investigation of the case from all angles within a short period.

Considering the entire facts and circumstances and the materials placed before this Court with the supplementary counter affidavits, this Court directs the Superintendent of Police, East Champaran, Motihari (respondent no. 6) to take sincere efforts to complete the extradition process in respect of the accused Shamim Akhtar and further ensure that the verification in respect of other suspects (named or unnamed



persons) are completed within a period of three months from the date of communication of this order.

It is worth taking note of the fact that the investigation of this case has not been concluded even after more than 7 years, this being the position, the respondent no. 6 must keep on supervising the case from time to time and ensure completion of investigation and submission of a report in terms of Section 173 CrPC in the learned court below preferably within a period of six months from the date of communication of this order.

For the present, no plausible ground has been shown to this Court for transferring the investigation to the CBI or any other agency.

This application stands disposed of accordingly.

(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'.

