

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1307 of 2021

Arising Out of PS. Case No.-70 Year-2020 Thana- SANGRAMPUR District- East
Champaran

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Harendra Yadav Son of Jaishree Yadav Resident of Village- Uttari
Madhubani, P.s.- Sangrampur, District- East Champaran, Motihari.

... .. Petitioner

Versus

1. The State Of Bihar, Through The Principal Secretary, Home Department,
Govt. Of Bihar, Patna
2. The Director General of Polce, Bihar, Patna.
3. The Inspector General of Police Tirhut Division, Muzaffarpur. Bihar
4. Deputy Inspector General of Police (Human Right), Bihar, Patna. Bihar
5. The District Magistrate, East Champaran at Motihari. Bihar
6. The Superintendent of Police, East Champaran at Motihari. Bihar
7. The Officer-in- Charge of Sangrampur Police Station, District- East
Champaran at Motihari. Bihar
8. The Investigating Officer of Sangrampur P.S. Case No.70/2020 Bihar
9. Guddi Devi W/o Ganesh Ram Resident of Village- Uttari Madhubani, P.S.-
Sangrampur, District- East Champran.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate
For the Respondent/s : Mr.Anil Kumar,AC to SC-8

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 05-12-2022 Heard learned counsel for the petitioner and Mr. Anil

Kumar, learned AC to SC-8 for the State.

Learned counsel for the petitioner prays for a
direction to the official respondents to complete further
investigation of the case and submit a police report after
concluding further investigation within a reasonable time.

Learned counsel has placed before this Court the letter



no. 470/21 dated 25.09.2021 (Annexure '7') said to have been written by the Special Public Prosecutor wherein he has reminded the Officer-in-Charge of Sangrampur Police Station that he is not taking up the further investigation of the case despite the direction of the Law Minister and the Senior Police Officers.

Mr. Anil Kumar, learned AC to SC-8 for the State has brought to the notice of the Court the statement made in paragraph '13' of the counter affidavit filed on behalf of the Superintendent of Police, East Champaran at Motihari (respondent no. 6) who has stated "according to supplementary case diary no. 13 para 86 name of Harendra Yadav has not been disclosed in the statement of deceased."

Learned counsel for the State submits that earlier a charge-sheet was submitted against the petitioner but further investigation on certain points is going on and is likely to be concluded very soon. It is stated that the fact that in supplementary case diary, it is recorded that the name of this petitioner has not been disclosed in the statement of the deceased, so that the further investigation as regards the petitioner is taking place.

In the given facts and circumstances of the case, this



Court directs the Superintendent of Police, East Champaran at Motihari (respondent no. 6) to take up the further investigation of the matter as regards the pending issues expeditiously and conclude the same within a period not later than four months from the date of receipt/communication of a copy of this order.

In case, it is found that the investigating officer or the Officer-in-Charge of Sangrampur Police Station had been involved in diverting the investigation in an another direction and there was any wrong intention on their part, the Superintendent of Police, East Champaran at Motihari (respondent no. 6) shall take suitable action in accordance with law. This would however not be taken as any observation of this Court as regards the role of the Investigating Officer and the Officer-in-Charge. The same must be examined independently by Superintendent of Police, East Champaran at Motihari (respondent no. 6).

This Writ Application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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