

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1660 of 2019

Arising Out of PS. Case No.-244 Year-2019 Thana- ALOULI District- Khagaria

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RUVIYA DEVI Wife of Kailu Yadav Resident of Village - Sanjhauli Tola -
Gariami, P.S. - Alauli, District - Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Deptt. Govt. of Bihar, Patna
2. The Director General of Police, Patel Bhawan, Baily Road, Patna.
3. The Superintendent of Police, Khagaria.
4. The Officer In Charge, Alauli, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Singh, Advocate
For the Respondent/s : Mr. M. Nasrul Huda Khan, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 28-02-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has filed this application for directing the respondents to supervise Alauli P.S. Case no. 244 of 2019 which was registered under sections 354 and 354B of the Indian Penal Code with further prayer to add sections 376 and 311 of the Indian Penal Code and sections of the POCSO Act in the said FIR which as per the petitioner was deliberately and intentionally left out by the investigating officer.

Without going into the details of the case of the parties, it may be stated here that a counter affidavit has been filed on behalf of the respondent no. 3 wherein in paragraph nos. 4 and 5 of the affidavit it has been stated that chargesheet no. 199 of 2019 was



submitted under sections 354 and 354B of the Indian Penal Code. Subsequently with the permission of the court, section 8 of the POCSO Act has been added.

It is submitted by learned counsel for the petitioner that though the instant FIR was registered on 21.7.2019, inspite of more than 2 years 7 months having passed the accused persons are roaming about freely and the authorities concerned are not taking steps in the matter. As per instructions received, the accused have not even moved for anticipatory bail.

In response it is submitted by learned counsel for the State that as per oral instructions received warrant of arrest has been issued in the matter and steps are being taken by the Investigating Officer.

In view of the statement made in the counter affidavit, the instant application stands disposed with a direction to the Investigating Officer of the case to take all possible steps and to conclude the investigation in the case at the earliest.

(Partha Sarthy, J)

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