

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.169 of 2023

Arising Out of PS. Case No.-360 Year-2022 Thana- GARKHA District- Saran

Manti Devi W/o Late Narayan Mahto R/v- Ferusa, P.S.- Garkha, District- Saran
... .. Petitioner

Versus

1. The State of Bihar through D.G.P., Govt. of Bihar, Patna
2. The Deputy Inspector General of Police, Saran
3. The Superintendent of Police, Saran
4. The Officer-in-Charge, Police Station, Garkha Saran

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Anjani Parashar, Advocate
For the Respondent/s : Mr. Suman Kumar Jha, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 06-11-2023

I.A. No. 1 of 2023

This interlocutory application has been filed seeking recall of the part of the order dated 12.10.2023 by which a cost of Rs.5,000/- has been imposed on the State respondents for not filing the counter affidavit despite lapse of about six months from the date of admission.

2. Learned counsel for the State submits that there are some reasons and those cannot be attributed to the State respondents. However, learned counsel submits that State respondents shall deposit a cost of Rs.1,000/- on their own and seek apology for not complying with the order of the Court within time.

3. In the aforesaid view of the matter, this Court modifies the order dated 12.10.2023 to the extent that the cost of Rs.5,000/- is reduced to Rs.1,000/-.



4. Let it be deposited as ordered earlier within three weeks from today and receipt showing payment of cost be submitted.

5. This writ application has been filed seeking fair and complete investigation of Garkha P.S. Case No. 360 of 2022 registered for the offences punishable under Sections 302, 201, 120(B)/34 of the Indian Penal code

6. Today, a counter affidavit has been filed on behalf of the State respondents. On perusal thereof, it appears that the direction of this Court as contained in the order dated 12.10.2023 has been complied with. The I.O. of the case has been changed and the investigation is progressing.

7. In the aforesaid view of the matter, this writ application is being disposed of with a direction to respondent no. 3 to keep on reviewing the progress in investigation and ensure filing of appropriate police report within a reasonable period.

8. Since respondent no. 3 has already issued direction with regard to the security concern of the petitioner, at this stage, this Court will only say that the concerned SHO shall take note of it and shall review the security threat of the petitioner, if any, periodically and till it is required.

(Rajeev Ranjan Prasad, J)

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