

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.243 of 2023

Arising Out of PS. Case No.-568 Year-2022 Thana- KESARIA District- East Champaran

Dhirendra Kumar Singh Son of Sri Awadhesh Kumar Singh, R/o Vill.-
Daramia, P.S.- Kesariya, Distt.- East Champaran. Petitioner/s

Versus

1. The State of Bihar through D.G.P.-CUM-I.G. of Police, Govt. of Bihar, Old Secretariat, Patna.
2. Superintendent of Police, East Champaran.
3. S.D.P.O., Chakia, East Champaran.
4. Officer-In-Charge, Kesaria Police Station, East Champaran.
5. Ram Sharan Sah Sub-Inspector of Police, Kesaria, Police Station, East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Adv.

For the Respondent/s : Mr. Dr. Mankeshwar Tiwari, AC to AAG-3.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 12-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has filed the present Cr. Writ Petition seeking direction from the Court that fair and proper investigation may takes place in connection with Kesariya P.S. Case No. 568 of 2022 lodged under Sections 147, 148, 149, 323, 307, 504 of the I.P.C. read with Section 27 of the Arms Act dated 18.11.2022 and also to relieve Sri Ram Sharan Sah (respondent No.5) as Investigating Officer of Kesariya P.S. Case No. 568 of 2022 and to initiate departmental proceedings against respondent No.5.

Learned counsel for the petitioner submits that this Hon'ble Court in the case of ***Surendra Singh Vs. State of Bihar and others*** vide order dated 09.09.2022 passed in ***Cr.W.J.C. No.***



153 of 2017 with analogous cases, a direction was given to the petitioners to represent the entire matter before the Superintendent of Police and the Superintendent of Police was directed to take appropriate action in the said matter upon receiving the representation, within a fixed time period. He submits that the present case is squarely covered with the case of Surendra Singh Vs. State of Bihar and others.

In this view of the matter, petitioner is directed to file representation before the Superintendent of Police, East Champaran in the light of order passed in the case of ***Surendra Singh Vs. State of Bihar and others*** on 09.09.2022 in ***Cr. W.J.C. No. 153 of 2017*** with analogous cases within four weeks from the date of passing of this order.

The Superintendent of Police, East Champaran is directed to take necessary steps for completion of fair investigation at the earliest.

With the aforesaid direction, the present Cr. Writ Petition is hereby disposed off.

(Dr. Anshuman, J.)

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