

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.196 of 2023

Arising Out of PS. Case No.-141 Year-2022 Thana- VIDYAPATINAGAR District-
Samastipur

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Ram Kumar Sah Son Of Shital Sah R/O Vill. And Post Office.- Simri, Ward
No. 8, P.S.- Vidyapati Nagar, Distt.- Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar Through Director General Of Police, Bihar, Patna Bihar
2. The Superintendent Of Police, Samastipur Bihar
3. The Deputy Superintendent Of Police, Distt.- Samastipur Bihar
4. The Station House Officer, Vidyapati Nagar Police Station, Distt.-
Samastipur Bihar
5. Rakesh Kumar @ Bhullar Son Of Ramadhar Ray R/O Vill.- Simri, P.S.-
Vidyapati Nagar, Distt.- Samastipur
6. Nivash Kumar Son Of Rajendra Mahto R/O Vill.- Simri, P.S.- Vidyapati
Nagar, Distt.- Samastipur
7. Mithlesh Kumar Son Of Devendra Ray R/O Vill.- Simri, P.S.- Vidyapati
Nagar, Distt.- Samastipur
8. Hemant Kumar Son Of Late Devi Lal Ray R/O Vill.- Simri, P.S.- Vidyapati
Nagar, Distt.- Samastipur
9. Jai Prakash Son Of Lakshman Mahto R/O Vill.- Simri, P.S.- Vidyapati
Nagar, Distt.- Samastipur
10. Prabhat Kumar Son Of Ram Shoshil Ray R/O Vill.- Simri, P.S.- Vidyapati
Nagar, Distt.- Samastipur
11. Vikash Kumar Son Of Rajendra Matho R/O Vill.- Simri, P.S.- Vidyapati
Nagar, Distt.- Samastipur
12. Sikandar Kumar Son Of Sahindra Sah R/O Vill.- Simri, P.S.- Vidyapati
Nagar, Distt.- Samastipur
13. Umesh Rai Son Of Late Sone Lal Rai R/O Vill.- Simri, P.S.- Vidyapati
Nagar, Distt.- Samastipur
14. Dharvendra Rai Son Of Late Sagar Rai R/O Vill.- Dhepura Kewta, P.S.-
Dalsing Sarai, Distt.,- Samastipur
15. Ram Adhar Rai Son Of Late Shivan Rai R/O Vill.- Simri, P.S.- Vidyapati
Nagar, Distt.- Samastipur
16. Ram Udit Rai Son Of Late Shivan Rai R/O Vill.- Simri, P.S.- Vidyapati
Nagar, Distt.- Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar, Adv.
For the Respondent/s : Mr. M. Nasrul Huda Khan, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

The present criminal writ petition has been filed seeking direction for proper investigation by the I.O. in connection with Vidyapati Nagar P.S. Case No. 141 of 2022 lodged under Sections 363, 366A and 34 of the I.P.C.

Counsel for petitioner submits that the petitioner is the father of the victim (informant) who seeks fair investigation in this matter as the police is under influence of the accused persons.

Counsel for the petitioner submits that recovery of the girl had taken place who had narrated the statement under Section 164 of Cr.P.C.. The said recovery was made from the possession of a non F.I.R. accused person and accordingly, charge-sheet has been filed.

Counsel for the petitioner submits that the police in connivance with the accused persons has left the real culprit and therefore, the petitioner has filed this writ petition.

Counsel for the State submits that this Hon'ble Court in the case of Surendra Singh Vs. State of Bihar and Ors vide order dated 09.09.2022 passed in Cr.WJC 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.

In this view of the matter, the present Cr. Writ Petitioner is disposed of in the light of order passed in **Surendra Singh Vs. State of Bihar and Ors** in **Cr.WJC No.153 of 2017** with analogous cases and informant/petitioner is directed to file representation before the Superintendent of Police within 4 weeks' from the date of passing of this order.

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

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

(Dr. Anshuman, J.)

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