

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.273 of 2020

Arising Out of PS. Case No.-81 Year-1997 Thana- SAHAR District- Bhojpur

RASBIHARI RAY Son of Dudheshwar Rai Resident of Village - Baruhi, P.S.-
Sahar, District - Bhojpur, Bihar ... Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Home, Govt. of Bihar, Old Secretariat, Patna, Bihar
2. The Additional Chief Secretary, Home, Govt. of Bihar, Old Secretariat, Patna. Bihar
3. The Inspector General of Police, Central Range, Patna. Bihar
4. The Deputy Inspector General of Police, Magadh Range, Dihri on Sone, Rohtas. Bihar
5. The District Magistrate, Bhojpur, Arrah. Bihar
6. The Superintendent of Police, Bhojpur, Arrah. Bihar
7. The Sub-Divisional Officer, Sadar, Bhojpur, Arrah. Bihar
8. The Deputy Superintendent of Police, Piro, Bhojpur. Bihar
9. The Block Development Officer, Sahar, Bhojpur. Bihar
10. The Inspector of Police, Tarari Circle, Bhojpur. Bihar
11. The Officer in Charge of Sahar Police Station, Bhojpur. Bihar
12. Mangaru Rai @ Gupteshwar Rai Son of Late Dudheshwar Rai Resident of Village - Baruhi, P.S.- Sahar, District - Bhojpur, At present, Chairman, Primary Agriculture Credit Cooperative Society, Baruhi, Sahar, Bhojpur.

... Respondents

Appearance :

For the Petitioner : Mr.Sudha Chandra, Adv.
For the Respondents : Mr.Sheo Shankar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-03-2023 Heard learned counsel for the petitioner and the State.

The petitioner seeks a direction commanding the respondents to constitute a high level investigation team with SIT (Special Investigation Team) for arrest of respondent no. 12 in respect of Sahar P.S. Case No. 81 of 1997 lodged under Sections 147, 148, 149, 302 and 307 of the Indian Penal Code,



27 of the Arms Act read with Sections 3, 5, 10 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Counsel for the petitioner submits that from the first information report it transpires that this is a case of 1997 and till date respondent no. 12 is moving free. No action has been taken against him by the police and respondent no. 12 is best known to the police authorities.

Counsel for the State submits that charge sheet has already been filed in this case and the trial is commenced.

Counsel for the petitioner submits that it is true that charge sheet has been filed and trial has commenced but showing the respondent no. 12 absconding and his case is specifically for this relief.

Counsel for the State submits that this case may be disposed of in the light of the order passed in Cr.W.J.C. No. 153 of 2017 (Surendra Singh Vrs. State of Bihar & Ors.) and analogous cases decided on 09.09.2022.

In this background, this criminal writ petition is **disposed off** with a direction to the petitioner to file representation before the Superintendent of Police, Bhojpur at Ara, in the light of the order passed in Cr.W.J.C. No. 153 of 2017 (Surendra Singh Vrs. State of Bihar & Ors.) and analogous



cases decided on 09.09.2022 within four weeks from today and
the Superintendent of Police shall consider the representation
and take appropriate action.

(Dr. Anshuman, J)

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