

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.299 of 2023

Arising Out of PS. Case No.-709 Year-2022 Thana- DHAKA District- East Champaran

Shahnaj Begam Wife Of Ali Hashan Ansari R/O Sakin- Dhaka Ramchandra
Ward No. 17, P.S.- Dhaka, Distt.- East Champaran At Motihari

... .. Petitioner/S

Versus

1. The State Of Bihar Through Its Chief Secretary, at Patna
2. The Director General Of Police, Bihar, Patna
3. The Department Of Home Affairs Through Its Principal Secretary Bihar Patna
4. The Inspector General Of Police At Muzaffarpur
5. The Deputy Inspector General (D.I.G.) Bettiah
6. The Superintendent Of Police East Chammparan At Motihari
7. The Sub-Divisional Police Officer Sikarhna At Dhaka, Distt.- East Champaran At Motihari
8. Officer-In-Charge Police Station Dhaka, Distt.- East Champaran
9. Sarpharaj Son Of Late Manjhar Ansari R/O Sakin-Dhaka Ramchandra Ward No. 17, P.S.- Dhaka, Distt.- East Champaran At Motihari
10. Parvej Ansari Son Of Late Manjhar Ansari R/O Sakin-Dhaka Ramchandra Ward No. 17, P.S.- Dhaka, Distt.- East Champaran At Motihari
11. Imranullah Ansari Son Of Late Jouwad Ansari R/O Sakin-Dhaka Ramchandra Ward No. 17, P.S.- Dhaka, Distt.- East Champaran At Motihari
12. Shamsad Ansari Son Of Late Sakib Ansari R/O Sakin-Dhaka Ramchandra Ward No. 17, P.S.- Dhaka, Distt.- East Champaran At Motihari
13. Toukir Ansari Son Of Late Shamsad Ansari R/O Sakin-Dhaka Ramchandra Ward No. 17, P.S.- Dhaka, Distt.- East Champaran At Motihari
14. Mustak Ansari Son Of Late Tabarak Ansari R/O Sakin-Dhaka Ramchandra Ward No. 17, P.S.- Dhaka, Distt.- East Champaran At Motihari

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bindeshwar Sah, Adv.
For the Respondent/s	:	Mr. Md. Nadim Seraj, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 20-04-2023

Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner has sought three reliefs from this Court.

The first relief is clubbing of complaint case and F.I.R. *i.e.* mentioned in Paragraph 1(A) for which there is a special forum under Cr.P.C. The petitioner is at liberty to move before the forum for clubbing of the same.

The second prayer of the petitioner is to constitute special investigation team for conduct of free and fair investigation in Dhaka P.S. Case No. 709 of 2022. The petitioner after some arguments seeks liberty to file representation before the Superintendent of Police, East Champaran at Motihari in the light of order passed in ***Surendra Singh Vs. The State of Bihar & Ors.*** in ***Cr. WJC. No. 153 of 2017*** and analogous cases decided on 09.09.2022.

Liberty granted.

In this view of the matter, the present criminal writ petition is **disposed off** with direction to the petitioner to file representation before the Superintendent of Police, East Champaran at Motihari in the light of the order passed in ***Surendra Singh Vs. The State of Bihar & Ors.*** in ***Cr. WJC. No. 153 of 2017*** with analogous cases decide on 09.09.2022 within four weeks' from today and the Superintendent of Police,

East Champaran at Motihari shall consider the representation and take appropriate action.

The petitioner seeks third relief for grant of compensation, restitution and rehabilitation to the petitioner in the light of Section 357(A) of Cr.P.C.,1973.

In this regard, this Court express its view that the High Court is not the correct forum to raise the claim rather the correct forum under law is the channel of legal services authority, if case is pending. He has liberty to approach before such forum.

With this direction, the present criminal writ application stands disposed off.

(Dr. Anshuman, J.)

sadique/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	