

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2755 of 2018

Arising Out of PS. Case No.-175 Year-2011 Thana- CHANDI District- Nalanda

Vijay Sao, son of late Rooplal Sao, r/o village-Raisa, P.S.- Chandi, District-Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Government Of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Home, Government of Bihar, Patna.
4. The Director General of Police, Bihar, Patna.
5. The Inspector General of Police, Patna Range, Patna.
6. The District Magistrate, Nalanda at Biharsharif.
7. The Superintendent of Police, Nalanda at Biharsharif.
8. The Deputy Superintendent of Police, Nalanda at Biharsharif.
9. The Officer In-charge, Chandi Police Station, Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Kant Singh
For the Respondent/s	:	Mr. Md. Nadim Seraj

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 20-06-2023 Heard learned counsel for the parties.

This application has been filed for quashing the order dated 20.07.2018 passed by learned A.C.J.M.-1st in Chandi P.S. Case No. 175/2011 whereby final form has been accepted ignoring all the norms and also ignoring earlier order dated 06.09.2015 whereby the final form submitted by police was not accepted and the I.O. was directed to submit report in view of section 178(3) of the Cr.P.C. and further directing concerned authority to investigate Chandi P.S. Case No. 175/2011 in terms of the direction dated 06.09.2016 of the learned J.M. 1st Class,



Hilsa, Nalanda.

The boy has been recovered who has been produced in the Court by the Nalanda Police. It has been submitted by the Nalanda Police that the family members of the missing boy were in touch with the missing boy and they knew that the boy was working initially in Punjab and subsequently in Panipat. The Police after recovery has taken the statement of the victim under Section 164 Cr.P.C. From the statement made by learned counsel for the State it appears that the offence under sections 201 and 203 of the Indian Penal Code may be made out against some of the family members who might have the knowledge of the place of the stay of the alleged victim. The Police may take steps legally for their prosecution under Sections 201 and 203 of the Indian Penal Code. So far as the forgery committed by the victim who has made a new Aadhar Card the place of occurrence does not fall within the jurisdiction of Nalanda Police and it is for the police station under whose jurisdiction the forgery has been committed to take action against the persons involved in the forgery if they so like.

With the aforesaid observation, this application is disposed of.

Before parting with the case, this Court must



appreciate the effort made by the Nalanda Police specially Sri Krishna Murari Prasad (S.D.P.O.) and his team, Hilsa in recovering the victim (Rakesh Kumar). The personal appearance of the police officials is dispensed with. The police will release the boy after completing the legal formalities.

(Sandeep Kumar, J)

Ranjeet/-

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