

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.389 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- MOHIUDDIN NAGAR District-
Samastipur

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DR AMIT KUMAR SINGH S/o Ajit Kumar Singh Resident of Village-
Mohiuddin Nagar, P.S.- Mohiuddin Nagar, Distt- Samastipur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH PRINCIPAL SECRETARY,
DEPARTMENT OF HOME, GOVT. OF BIHAR
2. the Director General of Police, Bihar, Patna.
3. Additional Chief Secretary, Home (Police), Department, Bihar, Patna Sri
Chaitanya Prasad I.A.S.
4. Inspector General of Police, Mithila Range, Darbhanga.
5. The Superintendent of Police, Samastipur.
6. The Deputy Superintendent of Police, Patna, Samastipur.
7. The Inspector of Police, Patna- Circle, District- Samastipur.
8. The Officer in- Charge, Mohiuddinnagar, District- Samastipur.
9. Ram Vriksh Sahani S/o Late Jhari Sahani Resident of Village- Mogal Chak
Manjha, P.S.- Mohiuddin Nagar, Distt- Samastipur.
10. Suresh Sahani S/o Late Yogi Sahani Resident of Village- Mogal Chak
Manjha, P.S.- Mohiuddin Nagar, Distt- Samastipur.
11. Bihari Mahto S/o Late Chhatthu Mahto Resident of Village- Nadwan, P.S.-
Mohiuddin Nagar, Distt.- Samastipur.
12. Guru Paswan Son of Late Surat Paswan Resident of Village- Nadwan, P.S.-
Mohiuddin Nagar, Distt.- Samastipur.
13. Lalu Paswan Son of Brahmdev Paswan Resident of Village- Nawada, P.S.-
Mohiuddin Nagar, Distt- Samastipur.
14. Ram Prawesh Paswan S/o Late Lakhan Paswan Resident of Village-
Nawada, P.S.- Mohiuddin Nagar, Distt- Samastipur.
15. Umesh Paswan S/o- Baijnath Paswan Resident of Village- Nawada, P.S.-
Mohiuddin Nagar, Distt- Samastipur.
16. Ravindra Paswan Son of Brahmdev Paswan Resident of Village- Nawada,
P.S.- Mohiuddin Nagar, Distt. Samastipur.
17. Dharmendra Paswan Son of Brahmdev Paswan Resident of Village-
Nawada, P.S.- Mohiuddin Nagar, Distt.- Samastipur.
18. Manoj Ray S/o Late Ramshreshth Ray Resident of Village- Nadwan, P.S.-
Mohiuddin Nagar, Distt.- Samastipur.
19. Jitesh Kumar Sinha S/o Tejnarayan Sinha Resident of Village- Nadwan, P.S.-
Mohiuddin Nagar, Distt.- Samastipur.
20. Rupak Kumar Son of Late Umesh Prasad Sinha Resident of Village-



Nadwan, P.S.- Mohiuddin Nagar, Distt.- Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar Singh
For the Respondent/s : Mr.Md. Nadim Seraj

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 27-09-2023 1. The petitioner has filed the present writ application for a direction commanding the respondents to immediately arrest the accused persons of Mohiuddin Nagar P.S. Case No. 21 of 2022 dated: 25.01.2022 registered under Sections 147, 148, 342, 379, 461, 504, 506 of the I.P.C. and further to recover the articles which were stolen / robbed from the house / clinic of the petitioner.
2. Learned counsel for the petitioner submits that a *dacoity* was committed in the premises of the petitioner after cutting the lock of the clinic of the petitioner. The accused persons surrounded the informant-petitioner, threatened him of dire consequences and took away all the articles of the clinic worth Rs. 9 lakhs. An F.I.R. has been lodged by the petitioner in this regard bearing Mohiuddin Nagar P.S. Case No. 21 of 2022 but the Police acting in hand in glove with the accused persons are not arresting them and not taking any legal step for recovery of the articles.
3. Learned counsel for the State submits that during



course of supervision it has come to light that there was an incident of hot talk between the accused persons and the informant regarding vacating the shop in which the petitioner was a tenant. The Inspector of Police, Patori Circle submitted supervision note with a specific direction to the Investigating Officer of this case to submit final form as “non cognizable” against all the F.I.R. named accused persons and in pursuance thereof the Investigating Officer has submitted final form bearing no. 66 / 2022 dated: 25-04-2022 as “non cognizable” against the accused persons.

4. I have heard learned counsel for the parties and have gone through the relevant materials available on the record. It appears that due to some dispute between the landlord and tenant the present incident has taken place and Police has submitted final form as “non cognizable” under Section 504 of the I.P.C. which is non cognizable offence. Accordingly, there is no merit in this application.

5. The application stands dismissed.

(Anil Kumar Sinha, J)

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