

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.243 of 2020

Arising Out of PS. Case No.-50 Year-2019 Thana- BIHTA District- Patna

Sanjay Prasad (Advocate On Record No. 1659) S/o Late Sumindra Prasad @
Surendra Prasad R/o Village and P.O-Pareo, P.S-Bihtta, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary Govt. of Bihar, Patna.
2. The D.G.P., Bihar, Patna.
3. The Sr. S.P. Patna.
4. The S.H.O. Bihta, Patna.
5. The S.H.O. Nawada.
6. The S.H.O., Khusarupur, Patna.
7. The S.H.O., Khudaganj, Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar
For the Respondent/s	:	Mr.M. Nasrul Huda Khan

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 13-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has filed the present Cr. Writ Petition seeking security from the accused of Bihta P.S. Case No. 50 of 2019 against whom Section 82 of Cr.P.C. process has been issued in the year 2020 with further request to hold an enquiry as to why accused person of Bihta P.S. Case No. 50 of 2019 have not been arrested up till now.

Learned counsel for the petitioner submits that petitioner is a practicing advocate and he has great apprehension



at the hands of accuse of Bihta P.S. Case No. 50 of 2019 against whom process under Section 82 of Cr.P.C. has already been issued. He further submits that the Police are in connivance with the accused persons and the poor petitioner (practicing advocate) is helpless. He has annexed Annexure-P2 series, by which, it transpires that processes have been issued but no action has been taken by the Police.

Learned counsel for the State submits that petitioner may be directed to represent himself before Senior Superintendent of Police, Patna (respondent No.3) in the light of order passed in the case of ***Surendra Singh Vs. State of Bihar and others*** on 09.09.2022 passed in ***Cr.W.J.C. No. 153 of 2017*** with analogous cases.

In this view of the matter, petitioner is directed to file representation before the Senior Superintendent of Police, Patna in the light of order passed in the case of ***Surendra Singh Vs. State of Bihar and others*** on 09.09.2022 in ***Cr. W.J.C. No. 153 of 2017*** with analogous cases within four weeks from the date of passing of this order.

The Senior Superintendent of Police, Patna is directed to act in the light of direction given in the order passed in the case of Surendra Singh Vs. State of Bihar and others.



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

(Dr. Anshuman, J.)

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