

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.710 of 2021

Arising Out of PS. Case No.-89 Year-2020 Thana- ANDHRATHARHI District- Madhubani

1. RUBY JHA Wife of Anil Kumar Jha Resident of Village - Thari, P.S. Andhrathari, District - Madhubani at Present resident of Mohalla - Muhammadpur Mahendru, P.O. Mahendru, P.S. - Sultanganj, District - Patna.
2. Ankit Kumar Jha Son of Anil Kumar Jha Under the guardianship of his father Anil Kumar Jha, resident of Village - Thari, P.S. Andhrathari, District - Madhubani at Present resident of Mohalla - Muhammadpur Mahendru, P.O. Mahendru, P.S. - Sultanganj, District - Patna.
3. Anil Kumar Jha Son of Sri Shubhkant Jha Resident of Village - Thari, P.S. Andhrathari, District - Madhubani at Present resident of Mohalla - Muhammadpur Mahendru, P.O. Mahendru, P.S. - Sultanganj, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the principal Secretary Home (Police) Department, Government of Bihar Patna, Bihar
2. The Principal Secretary, Home (Police) Department, Government of Bihar, Patna.
3. The District General of Police, Bihar, Patna.
4. The Inspector General of Police, Mithila Range, Darbhanga.
5. The District Magistrate, Madhubani.
6. The Superintendent of Police, Madhubani.
7. The Sub- Divisional Police officer, Jhajharpur, Madhubani.
8. The Station House officer, P.S. Andhrathari, District - Madhubani.
9. Suryakant Jha Son of Late Jaideo Jha Resident of Village - Thari, P.S. Andhrathari, District - Madhubani.
10. Akshay Kumar Jha Son of Late Yogendra Jha Resident of Village - Thari, P.S. Andhrathari, District - Madhubani.
11. Kamini Devi Wife of Ratikant Jha Resident of Village - Thari, P.S. Andhrathari, District - Madhubani.
12. Deepak Kumar Jha Son of Ratikant Jha Resident of Village - Thari, P.S. Andhrathari, District - Madhubani.
13. Manish Kumar Jha Son of Suryakant Jha Resident of Village - Thari, P.S. Andhrathari, District - Madhubani.
14. Manisha Jha Wife of Manish Kumar Jha Resident of Village - Thari, P.S. Andhrathari, District - Madhubani.
15. Anjani Devi Wife of Suryakant Jha Resident of Village - Thari, P.S. Andhrathari, District - Madhubani.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Gaurav Govind
For the Respondent/s : Mr. S.S. Prasad, SC- 8

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 26-09-2023 1. The petitioner no. 1 along with her son and husband have filed the present writ application for issuance of direction to the respondents to take suitable and appropriate legal action on the basis of the complaint and materials produced by the petitioner no. 1 to the I.G., Mithila Range, Darbhanga complaining against the unruly behaviour of the S.H.O., P.S. Andhrathari, District: Madhubani.

2. Learned counsel for the petitioners submits that petitioner no. 1 was abused and manhandled at the hands of the S.H.O., Andhrathari Police Station just outside the joint property of the petitioners for which a dispute is going with the family members of the petitioners regarding partition. Learned counsel submits that even if the Police has registered a case against the petitioners on the basis of complaint / written report lodged by the cousin father-in-law of the petitioner no. 1, the Police has no authority to misbehave and manhandle a lady and her family members exceeding its authority in law. He next submits that side of the petitioners has also lodged a written complaint before



the S.H.O., P.S. - Andhrathari, but no action has been taken by the S.H.O. on the complaint of the petitioners. Regarding misbehaviour done to the petitioner no. 1 by the Police, the petitioner no. 1 has filed a complaint before the I.G., Mithila Range, Darbhanga along with relevant materials including the video clippings, C.D. etc. According to the petitioners, I.G., Mithila Range, Darbhanga has not taken any action on the complaint of the petitioner no. 1 though complaint no. was generated bearing token no. 202011300011. Learned counsel referring to Section 33 of the Bihar Police Act, 2007 submits that as per the statutory provision the Police is obliged to behave properly with citizens particularly with senior citizens, women and children but the S.H.O., Andhrathari Police Station has misbehaved, manhandled and abused the petitioner no. 1.

3. Learned counsel for the State submits that a report was called for by the Superintendent of Police and proceeding under Section 107 Cr.P.C. has been recommended by Superintendent of Police, Madhubani, however, learned counsel for the State failed to produce any order showing disposal of the complaint by the Inspector General of Police, Mithila Range, Darbhanga lodged by the petitioner no. 1 vide Token No. 202011300011.



4. In view of the aforesaid facts that the complaint of the petitioner no. 1 has not been disposed, accordingly, I direct the respondent no. 4 / Inspector General of Police, Mithila Range, Darbhanga to consider the complaint of the petitioner no. 1 and pass a reasoned order in accordance with law within a period of four weeks from the date of production / receipt of a copy of this order.

5. The application stands disposed of.

(Anil Kumar Sinha, J)

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