

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.576 of 2022

Arising Out of PS. Case No.-645 Year-2021 Thana- KHAJANCHI HAT District- Purnia

1. Md. Shahidul Haque @ Md. Saheerul Haq @ Md. Badruddin S/o Muslim Resident of Mohalla- Madhopara, Ward No.26, P.S.- K- Hat (Sahayak), District- Purnea.
2. Parwin W/o Md. Shahidul Haque @ Md. Badruddin Resident of Mohalla- Madhopara, Ward No.26, P.S.- K- Hat (Sahayak), District- Purnea.
3. Shazia D/o Md. Shahidul Haque @ Md. Badruddin Resident of Mohalla- Madhopara, Ward No.26, P.S.- K- Hat (Sahayak), District- Purnea.
4. Nazia D/o Md. Shahidul Haque @ Md. Badruddin Resident of Mohalla- Madhopara, Ward No.26, P.S.- K- Hat (Sahayak), District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through Home Secretary, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Deputy Inspector General of Police, Bihar, Purnea.
4. The District Magistrate, District- Purnea.
5. The Superintendent of Police, Purnea.
6. The Superintendent of Police, Kishanganj.
7. The Sub- Divisional Police Officer, Purnea.
8. The Officer- In- Charge, Police Station, K. Hat (Sahayak), District- Purnea.
9. The S.H.O., Kishanganj Mahila Police Station- Kishanganj.
10. Pushplata Kumari W/o Binod Kumar Thakur Resident of Village- Palsa, P.S.- Azamnagar, District- Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.
For the Respondent/s : Mr. M. Nasrul Huda Khan, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The present Cr. Writ Petition has been filed for
quashing of F.I.R. bearing K. Hat (Sahayak) P.S. Case No. 645



of 2021 dated 17.07.2021 lodged under Section 147, 149, 341, 342, 323, 186, 353, 332, 333, 354, 504 & 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the present F.I.R. is the result of brutal action of Police with an advocate about which the C.J.M. has indicated in this matter in his order sheet which is annexed as Annexure-4.

Learned counsel for the State submits that such matter requires fair investigation under supervision of some high officials.

In this regard, this Court directs the petitioner to file representation before the Chief Judicial Magistrate, Purnea and Superintendent of Police, Purnea both 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 Superintendent of Police, Purnea is directed to work under the supervision of Chief Judicial Magistrate, Purnea 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. Every action of Police and every



decision of Police shall be subject to affirmation of the Chief Judicial Magistrate, Purnea about which observation has already been made in the said case.

Till filing of final report under Section 173 (2) of Cr.P.C. no coercive step shall be taken against the petitioner in connection with K. Hat (Sahayak) P.S. Case No. 645 of 2021.

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

(Dr. Anshuman, J.)

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