

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.753 of 2023

Arising Out of PS. Case No.-159 Year-2022 Thana- BALIA BELON District- Katihar

Md. Wali Azam Son Of Late Abdul Razzaque, R/O Village- Pachgachhi, P.S.-
Balial Belone, District- Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar, Through The Director General Of Police, Patna, Bihar
2. The Inspector General Of Police, Range/Zone, Bhagalpur, Bihar
3. The Superintendent Of Police, Katihar, District- Katihar Bihar
4. The Sub-Divisional Police Officer, Barsoi, District- Katihar Bihar
5. The Office In-Charge, Balial Belone Police Station, District- Katihar Bihar

Respondent 1st Set

6. Md. Noor Alam @ Noor Alam Son Of Late Wasiruddin @ Late S.K. Wasiruddin R/O Village- Pachgachhi, P.S.- Balial Belone, District- Katihar
7. Md. Zahrul Alam @ Md. Zahrul Haque Son Of Late Wasiruddin @ Late S.K. Wasiruddin R/O Village- Pachgachhi, P.S.- Balial Belone, District- Katihar
8. Md. Shah Fahat Son Of Md. Noor Alam @ Noor Alam R/O Village- Pachgachhi, P.S.- Balial Belone, District- Katihar
9. Md. Ansar Quazmi Son Of Md. Zahrul Haque @ Md. Zahrul Alam R/O Village- Pachgachhi, P.S.- Balial Belone, District- Katihar
10. Md. Adil Egbal Son Of Late Mojibur Rahman R/O Village- Pachgachhi, P.S.- Balial Belone, District- Katihar
11. Mujahid @ Jhaman Son Of Md. Ansar Quazmi R/O Village- Pachgachhi, P.S.- Balial Belone, District- Katihar
12. Md. Anisul Haque Son Of Late Wasiruddin @ Late S.K. Wasiruddin R/O Village- Pachgachhi, P.S.- Balial Belone, District- Katihar

... .. Respondent 2nd Set

Appearance :

For the Petitioner/s : Mr. Najeeb Ahmad, Advocate
For the Respondent/s : Mr. Manish Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has filed the present Cr. Writ Petition

seeking direction from the Court that fair and proper investigation may takes place in connection with Balia Belone P.S. Case No. 159 of 2022 dated 06.12.2022 lodged under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

Learned counsel for the respondents submits that this Hon'ble Court in the case of ***Surendra Singh Vs. State of Bihar and others*** vide order dated 09.09.2022 passed in ***Cr.W.J.C. No. 153 of 2017*** with analogous cases, a direction was given to the petitioners to represent the entire matter before the Superintendent of Police and the Superintendent of Police was directed to take appropriate action in the said matter upon receiving the representation, within a fixed time period. He submits that the present case is squarely covered with the case of Surendra Singh Vs. State of Bihar and others.

In this view of the matter, petitioner is directed to file representation before the Chief Judicial Magistrate, Katihar in the light of order passed in ***Surendra Singh Vs. State of Bihar and others*** in ***Cr. W.J.C. No. 153 of 2017*** with analogous cases, specifically mentioned in paragraph-10(VI) & (VII) of the said judgment, within four weeks from the date of passing of this order.

The Chief Judicial Magistrate, Katihar is directed to take necessary steps for completion of fair investigation at the earliest.

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

(Dr. Anshuman, J.)

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