

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.821 of 2023

Arising Out of PS. Case No.-10 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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Dr. Akhtar Hussain, Son of Late Abdul Hafiz, Resident of village - Ejra, P.S. - Sangrampur, Distt. - East Champaran, presently R/o - village - H.O.D. Farshi Department, M.N.M. Mahila College, Bettiah, P.S. - Bettiah Town, Distt. - West Champaran

... .. Petitioner

Versus

1. The State of Bihar through the Home Secretary, Government of Bihar, Patna
2. The Director General of Police, Bihar Patna
3. The Superintendent of Police, West Chamaparan at Bettiah
4. The Deputy Superintendent of Police, Bettiah, West Champaran at Bettiah
5. The S.H.O., Bettiah Town Police Station, Distt. - West Champaran at Bettiah
6. The Investigating Officer of Bettiah Town P.S. Case No. 10/2021 dated 07.01.2021 District - West Champaran at Bettiah.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Respondent/s : Mr. Suman Kumar Jha, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-10-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner is aggrieved by and dissatisfied with the inaction on the part of the Investigating Agency in the matter of investigation of Bettiah Town P.S. Case No. 10 of 2021 dated 07.01.2021 registered for the offences under Sections 420, 406, 409, 384, 386, 387, 467, 468, 471, 120B of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the accused persons of the case are highly influential person,



therefore, the Superintendent of Police, West Champaran, Bettiah (respondent no. 3) is also not taking interest in supervising the case. He has placed on record copy of several applications filed before the Senior Police Officers including Superintendent of Police. Copies of the applications are Annexure '2 Series' to the writ application. It is submitted that after lodging of the FIR, the Police is neither investigating the matter nor taking any action against the accused persons.

4. Mr. Suman Kumar Jha, learned AC to AAG-3 for the State submits that in the nature of the grievance of the petitioner, at this stage, it would be just and proper if an appropriate direction is issued to respondent no. 3 to supervise the case and take appropriate action within a reasonable time.

5. Having regard to the facts and circumstances of the case, the specific averment in the writ application that the petitioner has brought to the notice of the Senior Police Officers including respondent no. 3 the inaction in the matter of investigation of the case, this Court directs the Superintendent of Police, West Champaran, Bettiah (respondent no. 3) to personally supervise the case in question and issue appropriate instruction to the I.O. and any other supervising authority. If the I.O. is not working or/and it is noticed that the investigation has



been kept pending under influence of the accused persons, respondent no. 3 shall change the I.O. of the case. In any case, respondent no. 3 shall be obliged to ensure appropriate and fair investigation of the case and completion of investigation within a reasonable time.

6. This writ application is being disposed of accordingly with a direction to respondent no. 3. If respondent no. 3 fails to act as per the direction of this Court, it will be open to the petitioner to approach this Court.

(Rajeev Ranjan Prasad, J)

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