

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.794 of 2023

Arising Out of PS. Case No.-165 Year-2023 Thana- BIHTA District- Patna

Manish Kumar S/O Sahjanand Singh @ Sajanand Sharma R/o Village-Akhtiyarpur, P.S- Bihta, Distt.- Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Additional Chief secretary, Department of Home, Govt. of Bihar Patna-15,
2. The Additional Chief Secretary, Department of Home, Govt. of Bihar Patna-15.
3. The Director General of Police, Bihar, Patna
4. The Inspector General of Police (Administration), Bihar Patna.
5. The Inspector General of Police, Central Region, Patna
6. The Deputy Inspector General of Police, Central Range, Patna
7. The Senior Superintendent of Police, Patna Patna
8. The City Superintendent of Police, West, Patna
9. The Sub Divisional Police Officer, Danapur Patna
10. The Station House Officer, Bihta Police Station Distt.- Patna
11. Munna Paswan, The Sub Inspector Cum Investigation Officer at Bihta P.S Case No. 165/2023 dated 16-02-2023.

... .. Respondents

Appearance :

For the Petitioner/s	:	Smt. Archana Sinha, Advocate
		Mr. Suresh Prasad Bhakta, Advocate
For the Respondent/s	:	Mr. Suman Kumar Jha, AC to AAG-III

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-10-2023 Heard learned counsel for the petitioner and learned counsel for the State.

2. Petitioner in this case is seeking fair investigation of Bihta P.S. Case No. 165 of 2023 dated 16.02.2023 registered for the offences under Sections 302 and 120B of the Indian Penal Code and Section 27 of Arms Act.



3. It is the submission of the petitioner that he has been falsely implicated in this case. There is a land dispute between the informant's family and the petitioner's family. The deceased was an accused in Bihta P.S. Case No. 69 of 2018 for the offences alleged under Sections 366A and 376G of the Indian Penal Code and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act. The informant is himself an accused in Bihta P.S. Case No. 724 of 2018 under Section 376 of the Indian Penal Code.

4. Learned counsel for the petitioner submits that a retired army man, namely, Dharendra Kumar has been arrested by the S.T.F. and Patna Police in connection with the alleged occurrence, however, the police is not doing investigation of the case from all angles and the representations made from the petitioner's side, as contained in Annexures '3' and '4' respectively to the writ application, are not being considered.

5. Learned counsel for the State submits that as per the First Information Report this petitioner is said to have fired upon the deceased.

6. Having regard to the facts and circumstances of the case and the kind of prayer made in the writ application, this Court directs the Senior Superintendent of Police, Patna



(Respondent No.7) to look into the grievance of the petitioner and ensure fair investigation of the case within a reasonable period. For this purpose, he would issue appropriate instructions to the Investigating Officer and other supervising authority and the investigation be carried out from all angles including and considering the materials which may be produced from petitioner’s side to the Investigating Officer.

7. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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