

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.877 of 2023

Arising Out of PS. Case No.-134 Year-2021 Thana- SIDHWALIYA District- Gopalganj

Parsuram Prasad Son Of Late Ekwali Prasad R/O-Bakhraur, P.S.-Sidhwaliya,
Distt.-Gopalganj

... .. Petitioner/s

Versus

1. The State Of Bihar Through The District Magistrate, Gopalganj, District-Gopalganj Bihar
2. The District Magistrate, Gopalganj, District-Gopalganj Bihar
3. The Superintendent Of Police, Gopalganj, District-Gopalganj Bihar
4. The Sub Divisional Police Officer, Gopalganj Sadar, District-Gopalganj Bihar
5. The Officer In Charge, Sidhwaliya Police Station, District-Gopalganj Bihar
6. The Investigating Officer, Sidhwaliya P.S. Case No. 134/2021 Bihar
7. Santosh Kumar Son Of Kasturi Sharma R/O-Bakhraur, P.S.-Sidhwaliya, Distt.-Gopalganj
8. Sarswati Devi Wife Of Kasturi Sharma R/O-Bakhraur, P.S.-Sidhwaliya, Distt.-Gopalganj
9. Ravindra Sharma @ Ravi Sharma Son Of Balister Sharma R/O-Bakhraur, P.S.-Sidhwaliya, Distt.-Gopalganj
10. Byashdev Sharma Son Of Shivpujan Sharma R/O-Bakhraur, P.S.-Sidhwaliya, Distt.-Gopalganj
11. Shiv Jhari Devi Wif Of Balister Sharma R/O-Bakhraur, P.S.-Sidhwaliya, Distt.-Gopalganj
12. Raju Sharma Son Of Kasturi Sharma R/O-Bakhraur, P.S.-Sidhwaliya, Distt.-Gopalganj
13. The Director, Forensic Science Laboratory Ganipur Muzaffarpur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr. Iqbal Asif Niyazi, AC to GP-5

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 12-12-2023 No one appears for the petitioner.

2. A counter affidavit has been filed on behalf of the respondent no.13. In paragraph '10' of the counter affidavit, it is stated that the expert of Regional Forensic Science Laboratory

Ganipur, Muzaffarpur has submitted his report on 09.11.2023. It is stated that in the laboratory at Ganipur, Muzaffarpur only one expert is posted whereas huge number of cases approximately about 1267 are pending for viscera examination. It is stated that despite the constraint, the answering respondent and expert are discharging their statutory duties.

3. Earlier this Court had issued direction to the respondent no.13 in view of the stand taken by the I.O. that the investigation of the case has not proceeded because of non-availability of the viscera report of the deceased.

4. Now that the viscera report has already been made available to the investigating agency, this Court directs the Superintendent of Police, Gopalganj (respondent no.3) and the I.O., Sidhwaliya police station to ensure proper and fair investigation of Sidhwaliya P.S. Case No.134 of 2021 within a reasonable time and it is directed that they will submit the police report after completion of the investigation within a reasonable period in the learned jurisdictional court.

5. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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