

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1207 of 2023

Arising Out of PS. Case No.-99 Year-2023 Thana- BARGAINIA District- Sitamarhi

Guddi Devi @ Gudi Devi wife of Sudhish Mahto Village- Sinduriya PS-
Bairganiya Dist- Sitamarhi

... .. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Home, Govt. of Bihar, Patna
2. The Additional Chief Secretary, Department of Home, Govt. of Bihar, Patna
3. The Director General of Police, Bihar, Patna
4. The Inspector General of Police (Administration), Bihar, Patna
5. The Regional Inspector General of Police, Tirhut Region at Muzaffarpur, Dist- Muzaffarpur
6. The Deputy Inspector General of Police, Muzaffarpur Range, Muzaffarpur
7. The Collector Cum District Magistrate, Sitamarhi
8. The Superintendent of Police, Sitamarhi
9. The Sub-Divisional Police Officer, Sadar, Sitamarhi
10. The Station House Officer, Bairganiy P.S., District-Sitamarhi
11. Upendra Kumar SI Bairganiya PS Cum The Investigation Officer (IO) Bairganiya PS Case No- 99/2023
12. Ramashish Ray, son of Late Rupan Ray Village- Sinduriya PS- Bairganiya Dist- Sitamarhi
13. Dipankar Chaudhary @ Guddu Son of Late Sheo Narayan Chaudhary Village- Sinduriya PS- Bairganiya Dist- Sitamarhi
14. Krishnandan Prasad son of Baidyanath Chaudhary Village- Sinduriya PS- Bairganiya Dist- Sitamarhi
15. Sri Ram Chaudhary son of Ramlagan Chaudhary Village- Sinduriya PS- Bairganiya Dist- Sitamarhi

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Suresh Prasad Bhakta, Advocate
For the Respondent/s	:	Mr. Anil Kumar, AC to SC-8

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-12-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Petitioner in the present case is seeking the

following reliefs:-

- “(i) For issuance of appropriate writ/order/direction commanding the State of Bihar and its authorities particularly respondent no. 10 and 11 to complete and conclude the investigation in accordance with law as well as under the provisions of Code of Criminal Procedure of Bairganiya P.S. Case No. 99 of 2023 dated 11.04.2023 registered for the offences under Sections 448/376B, 506/34 of the Indian Penal Code.
- (ii) For issuance of appropriate writ/direction/order commanding the respondent authorities to take coercive steps against the private respondents in accordance with law as well as under provisions of Cr.P.C.
- (iii) For issuance of any appropriate writ/order/direction for which the petitioner will be found entitled in the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that the accused persons in this case came to the house of the petitioner on 16.05.2023 and assaulted the husband of the petitioner due to which he sustained injuries. It is submitted that the occurrence was reported to the Superintendent of Police, Sitamarhi but nothing has been done by now. Prior to this occurrence, the petitioner had lodged Bairganiya P.S. Case No. 99 of 2023 dated 11.04.2023 alleging the offences under Sections 448/376D, 506/34 of the Indian Penal Code.

4. Learned counsel submits that the accused persons in this case are notorious criminals of the locality and there are

near about twenty three criminal cases pending against the accused persons, but the Police is not taking any action against them.

5. On the other hand, State has filed a counter affidavit and this Court has been informed that the case is being properly investigated. Some statements with regard to what have transpired in course of investigation have been made in the counter affidavit, however, this Court is of the opinion that those materials are not required to be disclosed in the order. At this stage, this Court would direct the Superintendent of Police Sitamarhi to keep on reviewing the case and all endeavours be made to conduct a proper and fair investigation in the matter within a reasonable period. Upon completion of investigation, a Police report be submitted in the court of learned jurisdictional Magistrate, at the earliest. The Superintendent of Police, Sitamarhi shall also look into the grievance of the petitioner and shall ensure that the information furnished by the petitioner with regard to the alleged occurrence be properly investigated.

6. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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