

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1212 of 2023

Arising Out of PS. Case No.-347 Year-2021 Thana- DEHRI TOWN District- Rohtas

HASINA KHATOON WIFE OF LATE TAIYAB ANSARI RESIDENT OF
MOHALLA IDGAH, WARD NO.23, P.S. - DEHRI, DISTRICT - ROHTAS,
STATE - BIHAR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. THE SUPERINTENDENT OF POLICE, ROHTAS, DISTRICT - ROHTAS,
SASARAM ROHTAS
3. THE DISTRICT MAGISTRATE - CUM - COLLECTOR ROHTAS,
DISTRICT - ROHTAS, SASARAM ROHTAS
4. OFFICER-IN-CHARGE, DEHRI TOWN, P.S. - DEHRI, DISTRICT -
ROHTAS, SASARAM ROHTAS
5. GULLA SON OF KANHAI SAH RESIDENT OF SADAR CHAUK, P.S. -
DEHRI, DISTRICT - ROHTAS, SASARAM
6. BIRU YADAV SON OF SHRI BHAGWAN YADAV RESIDENT OF
SADAR CHAUK, P.S. - DEHRI, DISTRICT - ROHTAS, SASARAM
7. BHOLA RAM SON OF SHRI RAVINDRA RAM RESIDENT OF SADAR
CHAUK, P.S. - DEHRI, DISTRICT - ROHTAS, SASARAM
8. VAID PRAKASH ALIAS BHOLA PASWAN SON OF NOT KNOWN
RESIDENT OF SADAR CHAUK, P.S. - DEHRI, DISTRICT - ROHTAS,
SASARAM
9. RAJA PANDEY SON OF NOT KNOWN RESIDENT OF NEW
MOHALLA, CONTRACTOR OF DEHRI BUS STAND, G.T. ROAD, P.S. -
DEHRI, DISTRICT - ROHTAS, SASARAM

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Nikhil Singh
For the Respondent/s : Mr. Prabhu Narayan Sharma

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

- | | | |
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| 4 | 31-07-2023 | 1. Heard the learned counsel for the parties. |
| | | 2. The petitioner has preferred the present |



petition seeking a direction to the Superintendent of Police, Rohtas at Sasaram for producing the body of her son, who is missing and for which Dehri Town P.S. Case No. 347 of 2021 has been instituted for investigation.

3. We are afraid whether a writ of habeas corpus would be maintainable against the prayer made on behalf of the petitioner.

4. Nonetheless, since the victim has not yet been recovered, we chose to issue notice to the respondents to know about the update investigation with respect to the case.

5. Mr. Prabhu Narayan Sharma, the learned counsel for the State has filed an affidavit intimating us that the investigation is being continued in full swing and a special investigating team with six members has also been constituted, which is on the job. It is expected that necessary breakthrough will be achieved in days to come.

6. Considering the afore-noted affidavit and



expressing trust on the police to do its job, we consign
this writ petition with a direction that the investigation
should be taken to a logical conclusion without any delay
and the son of the petitioner to be restored to her.

7.The petition stands disposed of accordingly.

(Ashutosh Kumar, J)

(Vipul M. Pancholi, J)

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