

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.992 of 2022

Arising Out of PS. Case No.-175 Year-2022 Thana- SARAI District- Vaishali

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Akhilesh Kumar Singh Son Of Late Jugeshwar Singh Resident Of Village -
Panapur, Bishunpur, Police Station - Mahua, District- Vaishali.

... .. Petitioner/S

Versus

1. The State Of Bihar Through The Chief Secretary, Government Of Bihar, Patna, Bihar.
2. The Director General Of Police, Government Of Bihar, Bihar, Patna, Bihar.
3. The Superintendent Of Police, District Vaishali At Hajipur, Bihar
4. The Station Head Officer, Sarai Police Station, District Vaishali At Hajipur, Bihar
5. The Station Head Officer, Bhagwanpur Police Station, District - Vaishali At Hajipur, Bihar
6. The Station Head Officer, Hajipur Nagar Police Station, District - Vaishali At Hajipur, Bihar
7. The Station Head Officer, Mahua Police Station, District Vaishali At Hajipur, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Adv.
For the Respondent/s	:	Mr. Manish Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 17-03-2023

Heard learned counsel for the petitioner and
learned counsel for the State.

Pleading has been completed in this case in every
manner.

Counsel for the petitioner submits that petitioner's
son, who was a juvenile, was arrested by the police personnel
from his house, but not produced before the Magistrate within

24 hours. A Misc. Application was filed before the C.J.M., Vaishali at Hajipur. Report was called for and then only, his minor son was produced before the Court. It has been alleged that petitioner's son was brutally assaulted by the police during custody. On the direction of C.J.M., son of the petitioner was sent for medical examination. It was directed to the Superintendent of Police, Vaishali at Hajipur to take action including lodging F.I.R. against the erring officials, who arrested the minor boy and subjected him to torture in police custody. Counsel for the petitioner further submits that in the counter affidavit it transpires that, only departmental action has been taken by the police officer against the erring officials but F.I.R. has not been lodged. Counsel for the petitioner has apprehension that investigation shall also not take in proper manner, so he need protection also, so far as investigation is concerned.

Counsel for the State submits that after interference of the Hon'ble Court in this matter, the erring official has been identified, action has been taken against them and he is subject to the departmental proceedings. Investigation of this case is concluded and charge-sheet has been submitted.

Due to the pendency of such type of cases, this Court has decided one case as a batch case bearing ***Surendra***

Singh Vs. State of Bihar & Ors. Vide order dated 09.09.2022 passed in ***Cr. W.J.C. No. 153 of 2017***. According to which, the petitioner shall represent the entire matter before the Superintendent of Police, here in this case before the Superintendent of Police, Vaishali at Hajipur and the Superintendent of Police, upon hearing the parties, shall take appropriate decision within four weeks, with regard to the reliefs.

With the aforesaid direction, this Cr. Writ petition is hereby disposed off.

(Dr. Anshuman, J.)

ashishsingh/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	