

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1083 of 2022

Arising Out of PS. Case No.-258 Year-2022 Thana- SARAIYA District- Muzaffarpur

SAROJ KUMAR S/O LATE JAY MANGAL OJHA Resident of Village-
Gopidhanwar, P.S.- Saraiya, District- Muzaffarpur ... Petitioner
Versus

1. THE STATE OF BIHAR THROUGH PRINCIPAL SECRETARY, HOME DEPT. GOVT. OF BIHAR, OLD SECRETARIAT, PATNA
2. THE PRINCIPAL SECRETARY, HOME DEPARTMENT, GOVT. OF BIHAR, OLD SECRETARIAT, PATNA
3. THE DIRECTOR GENERAL OF POLICE, BIHAR, PATNA BIHAR
4. THE INSPECTOR GENERAL OF POLICE, TIRHUT RANGE, MUZAFFARPUR
5. THE SENIOR SUPERINTENDENT OF POLICE, MUZAFFARPUR
6. THE DY. S.P., LAW AND ORDER, MUZAFFARPUR
7. THE OFFICER-IN-CHARGE, SARAIYA POLICE STATION, MUZAFFARPUR
8. THE INVESTIGATION OFFICER OF SARAIYA PS CASE NO- 258 OF 2022, MUZAFFARPUR ... Respondents

Appearance :

For the Petitioner : Mr.Om Prakash Kumar, Adv.
For the Respondents : Mr. Seo Shankar Prasad, SC VIII

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

10 21-04-2023 Heard learned counsel for the petitioner and the State.

The present writ petition has been filed directing the respondents to immediately arrest the accused persons of Saraiya P.S. Case No. 258 of 2022 lodged under Sections 363, 364, 376(d), 302, 328 and 34 of the Indian Penal Code and 4, 6 and 8 of the Protection of Children from Sexual Offenses Act, 2012, as there is allegation of commission of rape and then poisoning to the deceased and allegation of throwing inside the river is there in the first information report.



Counsel for the petitioner submits that by the order of this Hon'ble Court the video clip recorded in the hospital by the staff of management of the hospital was sent to the Forensic Science Laboratory, Chandigarh, and the report from Chandigarh has been received reporting that there is no interpolation of the said video clip.

Counsel for the State has filed a counter affidavit. In the said counter affidavit the report of the Forensic Science Laboratory, Chandigarh, is annexed and subsequently, the investigating officer has proceeded further on the basis of the report of the Forensic Science Laboratory, Chandigarh.

In this view of the matter that on the basis of the statement of the victim given by her in the hospital the investigation continued.

In this background, this Court is disposing off this writ petition directing to the authorities concerned, particularly, the Senior Superintendent of Police, Muzaffarpur (respondent no. 5) to himself supervise this case and then only submit the final report under Section 173(2) of the Criminal Procedure Code, 1973.

With this direction, this writ petition is **disposed off**.

(Dr. Anshuman, J)

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