

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.106 of 2023

Arising Out of PS. Case No.-140 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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VAIDEHI DEVI @ VAIDEHI KUMARI W/O AJEET KUMAR, D/O LATE
VISHNUDEV GUPTA @ BISHNUKANT GUPTA Resident of Village-
Balbhadrapur Dudhpura, P.S.- Samastipur Muffasil, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Deputy General Of Police Bihar Patna
2. The Inspector General Of Police, Darbhanga Commissionaire.
3. The Superintendent Of Police, Samastipur.
4. The Superintendent Of Police, Madhubani.
5. The Station House Officer Muffasil P.S. Samastipur
6. Ajeet Kumar S/O Late Rameshwar Sah Resident Of Village- Balbhadrapur
Dudhpura, P.S.- Samastipur Muffasil, District- Samastipur Cum Judicial
Officer Benipatti Sub Divisional Court Benipatti Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Respondent/s : Mr. Dipak Kumar, AC to GP-4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioner and the

learned counsel for the State.

2. By filing this writ application, the petitioner is seeking a writ in the nature of mandamus commanding the respondent authorities to take legal action against respondent no.6 in connection with Muffasil P.S. Case No. 140 of 2021.

3. Learned counsel for the petitioner submits that the respondent no.6 has been given benefit of Section 41-A Cr.P.C. in course of investigation.



4. In the given kind of the case, this Court finds no reason to take any adverse view of the matter if the respondent no.6 has been given benefit of Section 41-A Cr.P.C.

5. Learned counsel for the petitioner submits that the respondent no.6 is misusing his power as judicial officer.

6. If it is so, the petitioner may bring it to the notice of the competent authority. However, no writ may be issued in the kinds of prayer made in the writ application.

7. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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