

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.1877 of 2023**

Arising Out of PS. Case No.-188 Year-2023 Thana- DHARHARA District- Munger

Anjani Kumar, Son of Ram Lakhan Prasad Singh, Resident of Village- Baha Chowki, PS- Dharhara (Hemjapur), Distt- Munger.

... .. Petitioner

Versus

1. The State of Bihar
  2. The State of Bihar thorough the Additional Chief Secretary, Home Dept. , Govt. of Bihar, Patna
  3. The Director General of Police, Govt. of Bihar, Patna
  4. The Dy. Inspector General of Police, Munger Range
  5. The Superintendent of Police, Munger District
  6. The Station House Officer, Dharhara, Hemjapur Police Station, Munger
  7. The Investigating Officer, Dharhara, Hemjapur Police Station, Munger
- ... .. Respondents

**Appearance :**

|                      |   |                                                             |
|----------------------|---|-------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Krishnakant Singh, Advocate<br>Mr. Anil Kumar, Advocate |
| For the Respondent/s | : | Mr. Rakesh Prabhat, AC to SC-21                             |

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

3      05-12-2023                      Heard learned counsel for the petitioner and learned counsel for the State.

2. Today, learned counsel for the State has placed before this Court a copy of Letter No. 5494 dated 01.12.2023 written by the SP (PO) to the Superintendent of Police, Munger wherein some developments which have taken place in course of investigation have been incorporated.

3. So far as the present case is concerned, it relates to the petitioner, namely, Anjani Kumar @ Bobby. Learned counsel for the petitioner submits that under the threat of

demolition of his house even without calling any cogent material against him he was called upon to surrender. It is submitted that in the report, this petitioner has been shown to have been arrested but the fact is that he was called by police on Whatsapp of which the petitioner has got the records and on the said call, the petitioner had himself appeared at the place where he was called upon to come from where police has shown his arrest.

4. Learned counsel submits that the CCTV footage has not been properly examined and on surmises and conjectures, it has been recorded in the report that the CCTV may have been tampered. Learned counsel submits that he has preserved the CCTV footage in the pen drive and is ready to produce the same with adequate certificate.

5. Be that as it may, at this stage, since the investigation of the case is still going on, this Court directs the Superintendent of Police, Munger to take a review of the investigation and ensure that the CCTV footage is duly examined by the I.O. and the supervising authority. The purpose of investigation is to bring the truth to the Court and in the process, it is also the bounden duty of the Investigating Officer to see that no innocent person is implicated in the case. The

report contained in Letter No. 5494 dated 01.12.2023 is based on some surmises and conjectures. It appears that the CCTV footage has not been duly examined to know as to whether it has been actually tampered or not. Only by saying that there may be chances of tampering of CCTV footage, the I.O. cannot come out of his responsibility to get it duly examined and weed out any possibility of false implication of the petitioner.

6. Without going into the merit of the submission advanced on behalf of the petitioner, this Court is disposing of the writ application with the above-mentioned direction to the Superintendent of Police, Munger.

7. An appropriate police report shall be filed in the court of learned Jurisdictional Magistrate within a reasonable time after investigating the case from all angles.

**(Rajeev Ranjan Prasad, J)**

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