

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.101 of 2024

Arising Out of PS. Case No.-418 Year-2023 Thana- BARHARIA District- Siwan

Hemant Ray @ Munna Ray Son of Sri Digvijay Kumar Ray @ Mansha Ray
R/o vill and P.O. - Sawna, via - Mirganj, P.S. - Barharia, Distt. - Siwan

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna
2. The Superintendent of Police, Siwan
3. The Sub-Divisional Police Officer, Siwan
4. The Station House Officer, Barharia Police Station, Siwan
5. Joniya Devi W/o Late Kaptan Ray R/o vill and P.O. - Sawna, via - Mirganj, P.S. - Barharia, Distt. - Siwan

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Adv., Mr. Abhishek Kumar, Adv.
For the State	:	Mr. Rajeshwar Singh, G.A.-10, Mr. Manoj Kumar Yadav, AC to GA-10

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI

ORAL ORDER

2 07-03-2024 Heard learned Advocate for the petitioner as well as
learned APP for the State.

2. Barharia P.S. Case No. 418 of 2023, dated 4th November, 2023 was registered on the basis of an F.I.R. submitted by one Joniya Devi, under Sections 341/323/307/504/506/354-B/34 of the I.P.C. against the petitioner and his family members.

3. It is alleged by the petitioner that the aforesaid



complaint was lodged on false assertion of a concocted facts on 4th November, 2023. The petitioner was in Patna, younger brother of the petitioner was in Rajasthan, the elder brother of the petitioner was living and studying at Siwan, on the alleged date of occurrence.

4. It is contended on behalf of the petitioner that the petitioner has been falsely implicated in this case. The petitioner apprehends that some coercive action may be taken by the Police authority, though he is on bail. It is also suspected by the petitioner that there may not be free and fair investigation.

5. Under such circumstances, the instant writ petition is disposed of directing the Investigating Officer and the Superintendent of Police, Siwan (respondent no. 2) as well as the Station House Officer, Barharia Police Station, Siwan (respondent no. 4) to conduct investigation fairly and impartially and also to consider as to whether the petitioner was actually present at the place of occurrence on the date and time of the occurrence.

6. With the above direction, the instant writ petition is disposed of.

7. Let, a copy of this order be sent to the Superintendent of Police, Siwan (respondent no. 2) as well as



the Station House Officer, Barharia Police Station, Siwan
(respondent no. 4) for information and compliance.

(Bibek Chaudhuri, J)

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