

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.686 of 2023**

Arising Out of PS. Case No.-1043 Year-2022 Thana- MUFFASIL District- West Champaran

Dharmendra Kumar Yadav S/O Late Bhagirathi Yadav Resident Of Village-  
Nagdahiya, P.S- Bettiah Muffasil (Manuapul), Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna. Bihar.
2. The Deputy Inspector General of Police, Champaran Range at Bettiah. Bettiah, Bihar.
3. The Superintendent of Police, West Champaran at Bettiah. Bettiah, Bihar.
4. The Sub- Divisional Police Officer, Bettiah, West Champaran Bettiah, West Champaran.
5. The Station House Officer, Bettiah Muffasil (Manuapul), Police Station West Champaran, Bihar
6. Rajesh Singh @ Munna Singh S/O Tejnarayan Singh R/O Village- Nagdahiya, P.S- Bettiah Muffasil (Manuapul), Distt.- West Champaran.
7. Kundan Singh S/O Sri Munna Singh R/O Village- Nagdahiya, P.S- Bettiah Muffasil (Manuapul), Distt.- West Champaran.
8. Rudra Pratap Singh S/O Sri Munna Singh R/O Village- Nagdahiya, P.S- Bettiah Muffasil (Manuapul), Distt.- West Champaran.
9. Rishu Kumar Singh S/O Sri Manoj Kumar Singh R/O Village- Nagdahiya, P.S- Bettiah Muffasil (Manuapul), Distt.- West Champaran.
10. Rahul Kumar N/A R/O Village- Paras Pakadi, P.S- Majhauria, Distt.- West Champarn.

... .. Respondent/s

**Appearance :**

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|----------------------|---|----------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Md. Waliur Rahman, Advocate<br>Mr. Nishant Kumar Sinha, Advocate |
| For the Respondent/s | : | Mr. M. Nasrul Huda Khan, SC-1,<br>Mr. Md. Fazle Karim, AC to SC-1    |

**CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI**  
**ORAL ORDER**

2      15-03-2024                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. One Tejnarayan Singh a man aged about 65 years  
was missing from 28.11.2022. At the outset it is pertinent to



mention here that the said missing person is the biological father of respondent no.6. Respondent nos. 7 to 9 are the grand children of the said Tejnarayan Singh. Tejnarayan Singh, as alleged by the petitioner was not happy in his own house, he was not looked after well by his son and grand children. Therefore, Tejnarayan Singh started living with the informant/petitioner. Be it also mention here that the informant and private respondent Nos. 6 to 9 are next door neighbors.

3. When the said Tejnarayan Singh was not found in the house of the informant and he could not be traced out, the petitioner filed a Court complaint on 06.12.2022. The said complaint was sent to the police under Section 156(3) of Cr.P.C. directing the jurisdictional police station to start specific case against the accused persons. Accordingly, police registered Bettiah Muffassil (Manuapul) P.S. Case No.1043 of 2022 dated 08.12.2022 under Sections 147, 148, 149, 341, 323, 364, 364-A, 511, 504, 506, 120-B/34 of the Indian Penal Code and Section 27 of the Arms Act. Till date the missing person could not traced out.

4. It is submitted by the learned advocate for the petitioner that the Investigating Officer has not taken any step for proper investigation of the case. He has made some table



work in the form of sending the photograph of missing person to missing persons squad, Doordarshan and photographs of the said missing person was published. The Investigating Officer did not even arrest the F.I.R. named accused persons and interrogate them under Section 161 of the Cr.P.C.

5. In the counter affidavit filed by the State, the said fact has not been denied. This Court fails to understand as to why the FIR named accused persons are not arrested and they were not interrogated specifically when allegation under Section 364-A of the I.P.C. has been made out.

6. I have carefully perused the statement of the Investigating Officer attached with the counter affidavit which shows lackadaisical approach of the Investigating Officer.

7. The Investigating Officer is directed to take positive step for proper investigation of the case and to come to a logical conclusion within six months from the date of the communication of this order.

8. The instant writ petition is accordingly, dispose of.

**(Bibek Chaudhuri, J)**

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