

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1058 of 2016

Arising Out of PS. Case No.-685 Year-2014 Thana- NAGAR District- Vaishali

Awadhesh Kumar Son of Sri Arun Kumar Sinha Resident of Mohalla-
Adalwadhi near ITI College, Hajipur, P.S.- Hajipur Town, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Director General Of Police, Bihar, Patna
2. The Director General of Police, Bihar, Patna.
3. The Additional, Director General of Police, Bihar, Patna.
4. The District Magistrate, Vaishali, Hajipur.
5. The Superintendent of Police, Vaishali.
6. The Officer-in-Charge, Hajipur Town Police Station- Hajipur, Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Vasant Vikas, Adv., Mr. Pranoy Kumar, Adv.,
For the State	:	Mr. Nashrul Hoda Khan, SC-1, Mr. Irshad, AC to SC-1

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI

ORAL JUDGMENT

Date : 06-03-2024

Heard learned Advocate for the petitioner as well as
learned APP for the State.

2. The instant writ petition is filed by the petitioner
praying for issuance of a writ in the nature of mandamus against
the respondents and other consequential relief, directing them to
transfer the matter pertaining to Town P.S. Case No. 685 of 2014
for investigation to the Central Bureau of Investigation (C.B.I.)
and recovery of 11 years old son of the petitioner namely Vinayak



Kumar, who has been kidnapped by some unknown persons on 10th August, 2014.

3. It is found from the writ petition as well as counter affidavits and the order-sheets that specially for the recovery of the victim boy, Special Investigating Team was constituted under the leadership of S.D.P.O., Mahnar, Hajipur. The Special Investigating Team conducted investigation and submitted charge-sheet against some accused persons, who initially demand ransom for release of the child. The said case is pending before the competent court. The instant writ petition was kept alive directing the respondents time and again to take appropriate steps for recovery of the kidnapped boy.

4. Finally on 12th February, 2024, this Court passed an order directing the Special Investigating Team to intimate this Court as to whether there is any chance for recovery of the said boy. The S.D.P.O., Mahnar, Hajipur, being the head of the Special Investigating Team filed an affidavit stating, inter alia, that the investigation had proceeded with all possible direction, but the kidnapped boy could not be recovered. The incident happened about nine and half years ago. Therefore, after the expiry of such long period, there is no ray of hope that the child would be recovered.



5. In view of such affidavit having been filed by the head of the Special Investigating Team, the Special Investigating Team is directed to file its final report regarding their failure to recover the kidnapped boy in the jurisdictional court of the learned Magistrate.

6. With the above order the instant writ petition is disposed of.

(Bibek Chaudhuri, J)

pravinkumar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

