

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.1061 of 2023**

Arising Out of PS. Case No.-25 Year-2023 Thana- DARBHANGA District- Darbhanga

Baijnath Prasad, Son of Late Kewal Mahato, Resident of Mohalla- Hasan  
Chowk, Lalbagh, P.S. - Town, Darbhanga, District- Darbhanga

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Secretariat, Bailey Road, Patna.
2. The Deputy General of Police, Darbhanga.
3. The Inspector General, Police, Darbhanga.
4. The District Magistrate, Darbhanga.
5. The Senior Superintendent of Police, Darbhanga.
6. The Superintendent of Police, Darbhanga.
7. The Station House Officer, Nagar Thana, Darbhanga.
8. The Investigating Officer, Nagar Thana, Darbhanga.

... .. Respondents

**Appearance :**

|                     |   |                                                                                           |
|---------------------|---|-------------------------------------------------------------------------------------------|
| For the Petitioner  | : | Mr. V.M.K. Sinha, Advocate<br>Mr. Ajay Prasad, Advocate<br>Mr. Ajit Kumar Sinha, Advocate |
| For the Respondents | : | Mr. Suman Kumar Jha, AC to AAG-3                                                          |

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

3      03-01-2024                      Heard Mr. V.M.K. Sinha, learned counsel for the petitioner and Mr. Suman Kumar Jha, learned AC to AAG-3 for the State.

2. The petitioner in this writ application is seeking a direction to the respondent Investigation Agency to conduct a proper and fair investigation of Darbhanga Town P.S. Case No. 25 of 2023.

3. A counter affidavit has been filed in this case, though the same is not on the record but a copy thereof has been made available to this Court by learned counsel for the State. Annexure 'A' to the counter affidavit is a report of the City S.P., Darbhanga

contained in Letter No. 4281/C dated 05.12.2023.

4. On perusal of the report of the City S.P., it appears that the case lodged by the petitioner has been found true whereas the case lodged against the petitioner has not been found true. From Annexure ‘A’ it appears that certain directions have been issued by the City S.P., Darbhanga to the Investigating Officer and a direction has been issued to submit an application under Section 173(8) Cr.P.C. requesting the learned court to allow further investigation of the case.

5. In the aforesaid view of the matter, this writ application is being disposed of with a direction to the Investigating Agency through the City S.P., Darbhanga to ensure that the application filed under Section 173(8) Cr.P.C. in the learned court below is immediately pressed and further investigation of the case be concluded within a reasonable time.

6. Mr. Suman Kumar Jha, learned AC to AAG-3 for the State submits that the Investigating Agency shall soon submit police report in respect of the persons against whom the case has been found true.

7. In view of the above statements, the writ application is being disposed of for taking appropriate steps under direction of the City S.P., Darbhanga.

**(Rajeev Ranjan Prasad, J)**

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