

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11294 of 2023

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Rajeev Ranjan Son of Late Mahendra Prasad Resident of Village- Panchi,
P.O.- Panhesa, P.S.- Shekhopursarai, District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home (Police) Department, Govt. of Bihar, Patna.
2. Director General of Police, Bihar, Patna.
3. District Magistrate, Sheikhpura.
4. Superintendent of Police, Sheikhpura.
5. Deputy Superintendent of Police, Sheikhpura.
6. Station House Officer, Shekhopursarai Police Station, District- Sheikhpura.
7. Investigating Officer of Shekhopursarai, P.S. Case no. 29 of 2021 dated 26.2.2021.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ritesh Kumar, Advocate
For the Respondent/s	:	Mr.Md. N.H. Khan (SC-1)
		Mr. Md. Fazle Karim, AC to SC-1

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 01-04-2024 The limited prayer made by the petitioner in the present writ petition is to direct the respondents to issue character certificate to the petitioner forthwith.

2. The learned counsel for the petitioner submits that despite the fact that the petitioner is not an accused in any criminal case, the District Magistrate/Superintendent of Police, Sheikhpura are not issuing the necessary character certificate,



hence appropriate directions be issued to them.

3. *Per contra*, the learned counsel for the respondent-State has submitted, by referring to the supplementary counter affidavit filed on behalf of the respondent no. 4 on 18.01.2024, that the complicity of the petitioner has transpired during the course of investigation of a criminal case bearing Shekhopursarai P.S. Case No. 29 of 2021, however, he has not denied the fact that the charge sheet filed by the police in the said case bearing Chargesheet No. 67 of 2022 does not array the petitioner as an accused.

4. In compliance to the directions issued by this Court vide order dated 18.12.2023, the case diary and the entire order sheet of the Ld. Trial Court, pertaining to the aforesaid Shekhopursarai P.S. Case No. 29 of 2021 have been brought on record of this case by the respondents and upon going through the same, the learned counsel for the respondents submits that till date the petitioner has not been arrayed as an accused in the aforesaid Shekhopursarai P.S. Case No. 29 of



2021 and moreover, the chargesheet also does not depict him as an accused, hence it is submitted that in case the petitioner approaches the Superintendent of Police, Sheikhpura and the Station House Officer, Shekhopursarai Police Station, they would consider the request of the petitioner for grant of character certificate, in accordance with law. It is directed accordingly.

5. It is needless to state that the petitioner shall approach the Superintendent of Police, Sheikhpura and the Station House Officer, Shekhopursarai Police Station within a period of two weeks from today, whereupon appropriate decision shall be taken by the Superintendent of Police, Sheikhpura and the Station House Officer, Shekhopursarai Police Station with regard to grant of the character certificate, in accordance with law, within a period of four weeks thereafter, considering the fact that the petitioner is not an accused in the aforesaid Shekhopursarai P.S. Case No. 29 of 2021.

6. The writ petition stands disposed off on



the aforesaid terms.

(Mohit Kumar Shah, J)

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