

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1151 of 2022

Arising Out of PS. Case No.-108 Year-2021 Thana- KUSHESHWARASTHAN District-
Darbhanga

=====

Vikash Kumar @ Subhash Yadav, Son of Balram Yadav Resident of village -
Jhajhra, P.S.- Kusheshwar Asthan, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar, Through Principal Secretary, Home Department, Bihar,
Patna. Bihar
2. The Director General of Police, Bihar, Patna. Bihar
3. The Superintendent of Police, District - Darbhanga. Bihar
4. The Station House Officer, Police Station - Kusheshwar Asthan, District -
Darbhanga. Bihar
5. Shiv Shankar Yadav, Son of Ram Jatan Yadav, Resident of village - Jhajhra,
P.S.- Kusheshwar Asthan, District - Darbhanga.
6. Chhotu Yadav, Son of Ram Jatan Yadav, Resident of village - Jhajhra, P.S.-
Kusheshwar Asthan, District - Darbhanga.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Nawal Kishor Prasad, Advocate
For the Respondent/s	:	Mr. M. Nasrul Huda Khan, SC-1
		Ms. Babita Kumar, AC to SC-1

=====

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

4 22-04-2024 1. As per order, dated 2nd of April, 2024, D.I.G and
S.S.P, Darbhanga are present.

2. The S.H.O and I.O. of Kusheshwar Asthan P.S.
Case No. 108 of 2021 are also present.

3. It is submitted by the learned Advocate for the
State, under instruction, that the Investigating Officer has
already arrested Private Respondent Nos. 5 and 6. The
investigation of the case is almost concluded and the Police



Authority will submit report in final form under Section 173(2) of the Cr.P.C. very shortly before the Jurisdictional Court of the learned Additional Chief Judicial Magistrate, Biraul.

4. The D.I.G. and S.S.P., Darbhanga appeared before this Court on virtual mode.

5. This Court ascertains that during the investigation of the case, the D.I.G. received a letter issued by the Respondent Nos. 5 and 6, stating, *inter alia*, that Kusheshwar Asthan P.S. Case No. 108 of 2021 was filed in retaliation of Kusheshwar Asthan P.S Case No. 2 of 2021. The D.I.G. sent the letter to the S.S.P. to verify as to whether the Kusheshwar Asthan P.S. Case No. 108 of 2021 was filed in retaliation of Kusheshwar Asthan P.S. Case No. 2 of 2021. The matter was inquired by the S.D.P.O. and he submitted a report about truthfulness of the allegation made by the informant of Kusheshwar Asthan P.S. Case No. 108 of 2021.

6. Since investigation is on the verge of completion, this Court finds that no further direction is necessary in the instant writ petition.

7. The Police Officers attached to Kusheshwar Asthan Police Station are directed to submit a report in final form under Section 173(2) of the Cr.P.C. without further delay.



8. With the above direction, the instant writ petition stands disposed of.

9. The physical appearance of S.H.O and I.O attached to Kusheshwar Asthan Police Station stands dispensed with.

(Bibek Chaudhuri, J)

uttam/-

U			
---	--	--	--

