

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.18 of 2023

Arising Out of PS. Case No.-47 Year-2021 Thana- BHEJA District- Madhubani

Birendra Yadav Son of Sri Rameshwar Yadav R/V- Koriyadhant, P.S- Bheja,
Dist- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Home Dept. Govt. of Bihar, Patna Bihar
2. The Director General of Police, State of Bihar, Patna Bihar
3. The Inspector General of Police, Darbhanga Division, Darbhanga Bihar
4. The Deputy Inspector General of Police, Darbhanga Range, Darbhanga Bihar
5. The Superintendent of Police, Madhubani Bihar
6. The Deputy Superintendent of Police, Madhubani Bihar
7. The Station House Officer, Police station Bheja, Dist- Madhubani Bihar
8. The Investigating Officer at Bheja P.S Case No. 47/21 (Present and the then) at Bheja P.S Madhubani Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Md. Jubair Ansari, Advocate
For the Respondent/s : Mr.Md. Nadim Seraj, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 07-05-2024 Heard the parties.

2. The prayer of the learned senior counsel for the petitioner is for execution of the process issued by the Court. Subsequently, the police has found the case to be false in the further investigation and submitted final form.

3. In these circumstances, the process issued by the Court is not to be executed.

4. Accordingly, this application stands dismissed.



5. At this juncture, learned senior counsel for the petitioner submits that the respondents may be directed for further investigation/re-investigation. The petitioner will approach the Magistrate in view of the law laid down by the Hon’ble Supreme Court in the case of **Sakiri Vasu Vs. State of UP & Ors.** reported in **2008(2) SCC 409**, for such a prayer.

(Sandeep Kumar, J)

P. Kumar

U		T	
---	--	---	--

