

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1716 of 2023

Arising Out of PS. Case No.-826 Year-2022 Thana- ARARIA District- Araria

ANJALI PRIYA DAUGHTER OF SHRI VIPIN KISHORE MISHRA
RESIDENT OF VILLAGE - BASANTPUR, NEAR ANANDMARGI
SCHOOL, WARD NO.12, BASANTPUR, P.S. - ARARIA, DISTRICT -
SUPAUL, BIHAR - 854340

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE DIRECTOR GENERAL OF POLICE, BIHAR, PATNA BIHAR
2. THE DIRECTOR GENERAL OF POLICE, BIHAR, SARDAR PATEL BHAWAN, JAWAHARLAL NEHRU MARG, PATNA - 800023 BIHAR
3. THE INSPECTOR GENERAL OF POLICE, ARARIA ARARIA
4. DEPUTY INSPECTOR GENERAL OF POLICE, ARARIA ARARIA
5. THE DISTRICT MAGISTRATE, ARARIA ARARIA
6. SUPERINTENDENT OF POLICE, ARARIA ARARIA
7. THE SUB DIVISIONAL POLICE OFFICER, ARARIA ARARIA
8. THE STATION HOUSE OFFICER, ARARIA POLICE STATION, ARARIA ARARIA
9. THE INVESTIGATING OFFICER ARARIA P.S. CASE NO. 826/2022 ARARIA
10. PRAKASH KUMAR MISHRA SON OF BHUWAN KISHORE MISHRA RESIDENT OF VILLAGE - KRISHNAPURI, WARD NO.9, POLICE STATION - ARARIA, DISTRICT - ARARIA
11. RAKESH KUMAR MISHRA SON OF BHUWAN KISHORE MISHRA RESIDENT OF VILLAGE - HANUMANT NAGAR, WARD NO.16, POLICE STATION - ARARIA, DISTRICT - ARARIA
12. NITISH KUMAR SON OF VIPIN YADAV RESIDENT OF SAKIN JAIPRAKASH NAGAR (BUDAN BASTI), WARD NO.9, POLICE STATION - ARARIA, DISTRICT - ARARIA
13. BABLU MISHRA SON OF SHRI BHUWAN KISHORE MISHRA RESIDENT OF VILLAGE - HANUMANT NAGAR, WARD NO.16, POLICE STATION - ARARIA, DISTRICT - ARARIA
14. RAJEEV KUMAR MISHRA SON OF SHRI BHUWAN KISHORE MISHRA RESIDENT OF VILLAGE - HANUMAN NAGAR, WARD NO.16, POLICE STATION - ARARIA, DISTRICT - ARARIA
15. ARJUN ACHARYA SON OF LATE BISHESHWAR ACHARYA RESIDENT OF VILLAGE - HARIDANAGAR, POLICE STATION - BIRPUR, DISTRICT - ARARIA
16. DEEPAK KUMAR MISHRA SON OF BHUWAN KISHORE MISHRA RESIDENT OF WARD NO.16, HANUMANT NAGAR, POLICE STATION - ARARIA, DISTRICT - ARARIA
17. BHUWAN KISHORE MISHRA @ KUMAR BHUWNESH SON OF LATE CHANDRA KISHORE MISHRA RESIDENT OF HANUMANT NAGAR,



WARD NO.16, ARARIA, POLICE STATION - ARARIA, DISTRICT - ARARIA

18. VIPIN KISHORE MISHRA SON OF LATE CHANDRA KISHORE MISHRA RESIDENT OF BASANTPUR NEAR ANANDMARGI SCHOOL, WARD NO.12, BASANTPUR, DISTRICT - SUPAUL, BIHAR

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar, Advocate
For Respondent No.10 : Mr.Madhu Prasun, Advocate
Mr.Renu Kumari, Advocate
Mr.Jitendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

13 26-06-2024

In the instant petition, petitioner has prayed for the

following relief(s):-

“(i) To issue a writ in the nature of Habeas Corpus for the production of her father of the petitioner from illegal detention at the hands of private respondents.

(ii) To issue a writ in the nature of mandamus for direction to the respondent nos. - 2 to 9 to complete the investigation and take it to the logical conclusion in the FIR lodged by the mother of petitioner bearing Araria P.S. Case No. 826/2022, dated 25-09-2022.

(iii) To issue an appropriate writ/s, order/s, direction/s for the commanding the respondents to provide adequate security to the petitioner, because the petitioner has threat of her life at the hands of respondents number 10 to 17.

(iv) For a direction to the respondent no. 6 to take action against the concerned respondent,



why they are not taking action towards the recovery of the father of the petitioner.

(v) For any other relief or reliefs for which the petitioner is legally and validly entitled in the facts and circumstances of the case.”

2. From time to time the missing person's case was monitored by this Court requesting the concerned police officials to file counter affidavit and supplementary affidavit. They are of the *prima facie* view that missing person must have died since each and every endeavour has made to trace him. Tower location of the missing person read with his mobile instrument was not traced beyond the Parmar river. Therefore, the police officials are of the view that he must have died near Parmar river.

3. Taking note of these dates and events we proceed to drop the present proceedings, liberty to the police officials to pursue the matter in accordance with law insofar as taking further action in the matter.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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