

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.399 of 2023

Arising Out of PS. Case No.-383 Year-2022 Thana- SHAHPUR PATORI District- Samastipur

KUSMA DEVI @ KUSHMA DEVI W/O MISHRI LAL R/v- Adalpur Shiura,
P.S.- Patory (Mohanpur O.P.), District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar Through The Principal Secretary, Department of Home, Govt. of Bihar, Patna Bihar
2. The Director General of Police, Bihar, Patna Bihar
3. The Inspector General of Police, Mithala Range, Darbhanga Bihar
4. The Superintendent of Police, Samastipur Bihar
5. The Deputy Superintendent of Police Patory, District- Samastipur Bihar
6. The S.H.O., Sohpur Patory (Mohanpur O.P.), District- Samastipur Bihar
7. RAKESH KUMAR S/O SHRI LAKSHMAN MAHTO R/v- Shiura Adalpur,P.S.- Patory (Mohanpur O.P.), District- Samastipur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar Singh
For the Respondent/s : Mr.Manish Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 15-07-2025 Heard the parties.

2. This writ application has been filed for the following reliefs:-

i. For issuance of writ/ writs in the nature of mandamus commanding the respondents to immediately arrest the accused persons of Shohpur Patori P.S. case no. 383 of 2022 for the offence under sections 341, 342, 323, 354(A), 354(B) of the Indian Penal Code and section 8 of the Protection of Children from sexual offence Act, 2013.



ii. For issuance of show cause the opposite party as to why the accused person name in F.I.R has not been arrested till today.

iii. For the respondents as to why the section 376 and 511 of the Indian Penal Code have not been included in said F.I.R.

iv. For issuance of show cause to the respondents as to why the person against whom F.I.R has been instituted in various major offence has not been arrested even after about four month 18 day from the date of institution of F.I.R.

3. Learned counsel for the State has submitted that the counter affidavit has been filed in this case and during investigation it has come that the case has been found false and final form has been submitted.

4. In these circumstances, this application is disposed of with a liberty to the petitioner to take appropriate steps in accordance with law and in view of the fact that final form has been submitted in this case.

(Sandeep Kumar, J)

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