

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.409 of 2025

Arising Out of PS. Case No.-23 Year-2024 Thana- Haraiya District- East Champaran

Anand Kumar Thakur S/O Anil Kumar Thakur R/O College Road, Kaurihar,
Shivpuri, P.S.- Raxaul, Dist.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home Government of Bihar, Patna Bihar
2. The Directorate General of Police, Government of Bihar, Patna Bihar
3. The Deputy Inspector General, Champaran Renge at Bettiah Bihar
4. The Superintendant of Police, East Champaran Bihar
5. The Sub-Divisional Police Officer, Raxaul, East Champaran Bihar
6. The S.H.O. Haraiya Police Station, Raxaul, East Champaran Bihar
7. The Investigating Officer in Haraiya P.S. Case No. 21/2024. Bihar
8. The Investigating Officer in Haraiya P.S. Case No. 23/2024. Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate
For the Respondent/s : Mr. G.A.5

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 26-06-2025 Heard the learned counsel for the petitioner and the

learned counsel for the State.

2. The present writ application is being filed on behalf
of the petitioner for issuance of appropriate writ/writs,
order/orders, direction/directions for the grant of following
relief/reliefs:-

*i). To issue a writ in the nature of Certiorari
for setting aside the remand order issued against the
Petitioner in connection with Haraiya P.S. Case No.
23/2024, as the same is devoid of the constitutional*



mandate enshrined under Article 22(2) of the Constitution of India and intentionally has been put up after more than 90 days of institution of the FIR, without producing any chit of paper regarding the same; and/or

ii). To direct Respondents to release the Petitioner and free him from illegal custody as petitioner's right to life and personal liberty, as enshrined in the Constitution, is being infringed upon without any justifiable reason, constituting an abuse of legal authority and process.

iii). In the nature of Mandamus directing/commanding the Respondents to compensate the Petitioner for the hardships suffered by him on account of illegal detention undergone constitutional mandate; and/or violating the constitutional mandate; and/or

iv). To issue a show cause cum explanation from respondent no. 6-8, that,

a. Why they place remand order at belated stage i.e. after granting Bail by this Hon'ble Court, in Haraiya P.S. case no.23 of 2024, when they are well aware that petitioner is in custody in Haraiya P.S. case no. 21 of 2024.

b. Why the Haraiya Police station waits for the granting of bail of the petitioner by Hon'ble Court and is it not a misuse of criminal proceedings and infringement of fundamental rights of the petitioner.

c. Why the police need the custody of the petitioner after more than 90 days of the



institution of the FIR in spite of knowing that the petitioner is in judicial custody in Haraiya P.S. case no. 21 of 2024.

3. The petitioner has challenged his remand in the second case. The learned counsel for the petitioner has submitted that the petitioner has already been granted bail.

4. This application is disposed of as the petitioner has already been granted bail.

(Sandeep Kumar, J)

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