

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.444 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- KIUL RAIL P.S. District- Lakhisarai

1. Bipin Bihari @ Bipin Singh Son of Parashuram Singh Resident of Village - Mahisona, P.S. - Tetarhat, District - Lakhisarai
2. Praveen Bharti Son of Madan Ram Resident of Village - Mahisona, P.S. - Tetarhat, District - Lakhisarai
3. Subodh Ram Son of Yugal Ram Resident of Village - Mahisona, P.S. - Tetarhat, District - Lakhisarai

... .. Petitioner

Versus

1. The State of Bihar through the Addl. Chief Secretary, Home Department, Govt. of Bihar, Patna Bihar
2. The Additional Chief Secretary, Department of Home, Bihar, Patna Bihar
3. The Director General of Police, Bihar, Patna Bihar
4. The Inspector General of Police, Munger Bihar
5. The Deputy Inspector General of Police, Munger Bihar
6. The Superintendent of Police, Lakhisarai Bihar
7. The Deputy Superintendent of Police, District- Lakhisarai Bihar
8. The Station House Officer-Cum-Officer In Charge of GRPS, Jamalpur Railway, District-Munger Bihar
9. The Central Bureau of Investigation, through Joint Director, Kautilya Marg, Bihar, Patna Bihar
10. The Crime Investigation Department, through its Additional Director General of Police Sardar Patel Bhawan, Bailey Road, Patna, Bihar
11. Arti Kumari Wife of Late Dharmendra Kumar Sao Resident of Mahisona, P.S. - Tetarhat, District - Lakhisarai

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar, Advocate Mr. Shreekant Vaidya, Advocate Mr. Bijay Kumar, Advocate
For the State	:	Mr. Suman Kumar Jha, A.C. to A.A.G.-3
For Respondent No.9	:	Ms. Nivedita Nirvikar, Senior Advocate Mr. Pravin Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 01-05-2025

Heard the parties.



2. By way of this criminal writ application, the petitioner has prayed for the following reliefs:-

“(i) For issuance of direction/writ/order in the nature of mandamus directing the respondent no.9 to hold/conduct investigation independently and impartially of Kiul GRPS Case No.09/2025 dated 21.01.2025 registered for offence u/s 103(2), 61(2) of BNS, 2023 and u/s 27 of Arms Act since the petitioners have been falsely implicated in the present case at the instance of respondent no.11 who wrecked vengeance against the petitioners.

(ii) For issuance of direction/writ/order that if the Hon'ble Court does not find favour with the prayer of the petitioners to direct CBI for conducting investigation of Kiul GRPS Case no. 09/2025 then alternatively, the CID, Bihar Patna, respondent no.10 may be directed to conduct investigation of Kiul GRPS case No. 09/2025 registered by respondent no. 11 so that independent and impartial investigation may be carried.

(iii) For issuance of direction/writ/order to the concern person not to take any coercive action against the petitioners during pendency of the petition and the investigation would not be concluded.”

3. This application is disposed of with liberty to the petitioner to approach the Magistrate concerned in light of



the law laid down by the Hon’ble Supreme Court in the case of *Sakiri Vasu vs. State of U.P.* reported as *(2008) 2 SCC 409* since the Magistrate has jurisdiction to exercise the power of controlling and guiding the investigation.

(Sandeep Kumar, J)

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