

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.613 of 2025

Arising Out of PS. Case No.-15 Year-2019 Thana- RAMGARH District- Kaimur (Bhabua)

1. Nand Kumar Ram Son of Pradhan Ram Resident of Village and Post - Baruara, P.S. - Ramgarh, District- Kaimur (Bhabhua)
2. Raj Kumar @ Chhotan Ram Son of Hari Kishun Ram @ Nara Ram Resident of Village and Post - Baruara, P.S. - Ramgarh, District- Kaimur (Bhabhua)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna Bihar
3. The Deputy Inspector General of Police, Shahabad Range, Dehri On-Sone Bihar
4. The Superintendent of Police, Kaimur (Bhabhua) Bihar
5. The Station House Officer, Police Station, Ramgarh (Bhabhua) Bihar
6. The Investigating Officer, Police Station, Ramgarh (Bhabhua) Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rishi Raj Raman
For the Respondent/s	:	Mr. G.P.5
		Mr. Iqbal Asif, AC to GP 5

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-07-2025 Heard the learned counsel for the petitioners and the

learned counsel for the State.

2. The following prayer has been made in the present
writ petition:-

*(i) For setting aside the order dated
10-02-2025 passed by the ACJM-II, Mohania,
Kaimur at Bhabhua passed in Ramgarh P.S.
Case No. 15/2019 whereby he has directed for
issuance of process under section 82 of the Cr.
P.C. against the petitioners.*



(ii) For setting aside the proclamation dated 13-02-2025 issued by the ACJM-II, Mohania, Kaimur at Bhabhua under section 82 of the Cr. P.C. in connection with Ramgarh P.S. Case No. 15/2019.

(iii) For necessary direction upon the respondent authorities of the Police Department to give their specific finding on the material produced by the petitioners before them regarding their absence from the place of occurrence on the date and time of occurrence.

(iv) For necessary direction upon the respondent authorities of the Police Department to submit final form in Ramgarh P.S. Case No. 15/2019 exonerating the petitioners from the case on account of their absence from the place of occurrence and their presence at far away place at Allahabad.

(v) For holding that when the petitioners were cooperating in the investigation by producing the relevant material before the Police, there was no occasion for the Police to obtain proclamation under section 82 of the Cr. P.C.
(vi) For staying the further proceeding of Ramgarh P.S. Case No. 15/2019 pending in the Court of ACJM-II, Mohania, Kaimur at Bhabhua during the pendency of this writ application.

3. The limited prayer of the petitioner is for proper investigation of Ramgarh P.S. Case No. 15 of 2019 as it has



been contended by the learned counsel for the petitioners that both the petitioners were not present at the place of occurrence and they were at Prayagraj, Uttar Pradesh.

4. This application is disposed of with a direction to the Superintendent of Police, Bhabhua to consider the pending representation of the petitioners about verification of the alibi of the petitioners.

5. If any such representation filed by the petitioners is pending before the Superintendent of Police, Bhabhua, the alibi of the petitioners shall be directed to be verified by the I.O. of the case and thereafter appropriate shall be taken whether to charge-sheet the petitioners or exonerate the petitioners.

6. With the aforesaid observation and direction, this application is disposed of.

(Sandeep Kumar, J)

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