

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.593 of 2025

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

Deepak Singh @ Deepu Kumar S/O Radha Krishna Ram Resident of Village
and Post- Baruara, P.S- Ramgarh, District- Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The State of Bihar 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.A.9

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 05-08-2025 Heard the learned counsel for the petitioner and the

learned counsel for the State.

2. This writ application is being preferred on behalf of

the petitioner above named for the following reliefs:-

- (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 petitioner 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 petitioner from the case on account of his absence from the place of occurrence and his presence at far away place at Bhubneshwar, Orissa;
- (v) For holding that when the petitioner was 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 learned counsel for the petitioner has submitted that on the alleged date of occurrence, the petitioner was pursuing his studies at National Institute of Sciences Education and Research, Bhubneshwar, Orissa in the school of Biological Sciences and was pursuing the degree of M.Sc. in Chemical Biology and was present in the institution.

4. In these circumstances, this application is disposed of with liberty to the petitioner to approach the Superintendent of Police, Bhabhua with a representation about the alibi and if



such a representation is filed, the same shall be verified by the Superintendent of Police, Bhabhua through the I.O. of the case and if during investigation it is found that the petitioner was present in his institution, the police will take appropriate call with regard to the involvement of the petitioner.

5. It is also directed that if required, the I.O. of the case will visit the institution to verify the contention of the petitioner.

6. The aforesaid exercise must be done within one month of communication/receipt of a copy of this order.

7. This order is being passed considering the fact that the petitioner who seems to be a bright student is now working in South Africa.

8. Let a copy of this order be communicated to the Superintendent of Police, Bhabhua through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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