

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.534 of 2025

Arising Out of PS. Case No.-338 Year-2023 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

Sarwar Ola @ Md. Sarwar Ola Son of Late Md. Nurullah R/o Kadirabad,
Ward 12, P.S.- LNMU, District - Darbhanga, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Government of Bihar, Patna. Bihar
2. The Inspector General of Police, Darbhanga Division, Darbhanga. Bihar
3. The Senior Superintendent of Police, District - Darbhanga. Bihar
4. The Inspector-in-charge, Lalit Narayan Mithila University P.S., Darbhanga. Bihar
5. The Station House Officer, Lalit Narayan Mithila University P.S., Darbhanga. Bihar
6. Shri Shiv Kumar Yadav, the then posted as Station House Officer, Ashok Paper Mill Police Station, District - Darbhanga presently posted as Inspector at Sadar P.S., Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Muqtadir Ahmad, Advocate
	:	Mr. Ali M Ahmed
For the Respondent/s	:	Mr. Subodh Pd. Singh, G.A.3

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-06-2025 Heard learned counsel for the parties.

2. This application has been filed for seeking
following reliefs:

*a. For issuance of writ in the nature
of mandamus directing the respondent
authorities to transfer the investigation of the
Lalit Narayan Mithila University P.S. Case 338
of 2023, to any independent investigating
agency as involvement of the Respondent No. 6*



(the then Station House Officer of Ashok Paper Mill Police Station) in the present case raises concern over the transparent and proper investigation being conducted by the respondent authorities, which is left in void and no action much less any procedure laid down under Criminal Procedure Code/ Bhartiya Nagarik Suraksha Sanhita has been followed including preliminary enquiry.

b. For issuance of writ in the nature of mandamus directing the respondent authorities to provide protection to the petitioner, as there are instances wherein, the petitioner has been threatened by the accused of the case, moreover, as the residents are native around his house and politically affiliated, the same attributes more fear to the petitioner.

3. The petitioner is a borrower whose house has been auctioned/sold and has been purchased by respondent no.6, who has taken possession. The petitioner alleges that the case lodged by him is not being properly investigated by the police.

4. In this view of the matter, the petitioner may approach the Senior Superintendent of Police, Darbhanga, by way of filing a representation. The Senior Superintendent of Police, Darbhanga, will consider the representation of the petitioner and will pass necessary directions for proper investigation of the case, if in his judgment, investigation is not



being properly done. If the investigation is being properly done, the Senior Superintendent of Police, Darbhanga, is not required to pass any order.

5. With the aforesaid observation, this application is disposed of.

6. It is made clear that this Court has not gone through the merit of this case and has not expressed any opinion on the merits of the case.

(Sandeep Kumar, J)

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