

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1321 of 2024

Arising Out of PS. Case No.-251 Year-2023 Thana- SAHEBPUR KAMAL District-
Begusarai

-
1. Ajit Kumar, son of Jimindar Mahto.
 2. Niranjana Kumar @ Ram Babu, son of Jimindar Mahto.
Resident of Gram Panchayat Sanaha West, P.S.- Sahebpur Kamal,
District - Begusarai

... .. Petitioners

Versus

1. The State of Bihar through the Director General Of Police, Govt. Of Bihar,
Patna Bihar
2. The Superintendent Of Police, Begusarai
3. The Deputy Superintendent Of Police, Balia, Begusarai
4. The Station House Officer, Sahebpur Kamal Police Station, Begusarai Bihar
5. The Investigation Officer In Sahebpur Kamal P.S. Case No. 251 Of 2023,
Begusarai
6. Dilshad Alam Son Of Nazir Hussain, Resident Of Gram Panchayat Sanaha
West, Ward No.12, P.S. - Sahebpur Kamal, District - Begusarai

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Anshul, Advocate Mr. Anuj Kumar, Advocate
For the State	:	Mr. Rajesh Kumar, A.C. to G.P.-3

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 23-06-2025 Heard learned counsel for the petitioners and

learned counsel for the State.

2. This application has been filed for the

following reliefs:-

*“i. A writ in the nature of CERTIORARI or other
appropriate writ/s, order/s, direction/s quashing
/ setting aside the F.I.R. of Sahebpur Kamal P.S.
Case No.251 of 2023 dated 17.09.2023*



instituted for the offence under sections 147, 341, 323, 379, 504 and 506 of the Indian Penal Code on the report of Respondent No.6.

(ii) A writ in the nature of MANDAMUS or any other appropriate writ/s, order/s, direction/s directing the Respondents to not misuse the power of investigation.”

3. In the counter affidavit filed by the respondent no.2, it has been stated in paragraph no.4 that in course of investigation, the statement of independent witnesses have been recorded and on the basis of the same, the involvement of the petitioner no.1 in the crime has not been found.

4. It has been contended by learned Senior Counsel for the petitioners that the petitioner no.2 is a Government servant and is working as Night Guard in a Government School and he also has been falsely implicated in this case.

5. Considering the aforesaid, the petitioner no.2 is permitted to file a representation before the Superintendent of Police, Begusarai about his innocence. If such a representation is filed, the same shall be considered by the Superintendent of Police, Begusarai and if he finds substance in the representation of the petitioner no.2 then appropriate orders shall be passed so



that the petitioner no.2, who is a Government servant, is not harassed.

6. With the aforesaid observations and directions, this criminal writ application is disposed of.

7. It is made clear that this Court has not applied its mind to the defence of the petitioner no.2.

8. Till the representation is disposed of, no coercive steps shall be taken against the petitioner no.2 but he will co-operate in the investigation.

(Sandeep Kumar, J)

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