

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1802 of 2025

Arising Out of PS. Case No.-365 Year-2025 Thana- RAMKRISHNANAGAR District- Patna

1. Subodh Kumar @ Subodh Pandey Son of Ramji Pandey Village- pranawan, Po- Gopalbad, Ps- Sarmera, Dist- Nalanda Presently Residing at Mokam, Rajendra Nagar Sahour, Beiman Toal, S.S. Academy Ramkrishna Nagar, Ps- Ramkrishna Nagar, Dist- Patna
2. Ramji Pandey son of Late Kishore Pandey Village- pranawan, Po- Gopalbad, Ps- Sarmera, Dist- Nalanda Presently Residing at Mokam, Rajendra Nagar Sahour, Beiman Toal, S.S. Academy Ramkrishna Nagar, Ps- Ramkrishna Nagar, Dist- Patna
3. Abhinash Kumar Pandey @ Abhinash Kumar son of Ramjii Pandey Village- pranawan, Po- Gopalbad, Ps- Sarmera, Dist- Nalanda Presently Residing at Mokam, Rajendra Nagar Sahour, Beiman Toal, S.S. Academy Ramkrishna Nagar, Ps- Ramkrishna Nagar, Dist- Patna
4. Ram Kumar Pandey @ Sonu Kumar son of Vidyanand Pandey Village- Dekpura, Moratalao Dist- Nalanda
5. Pooja Devi wife of Ram Kumar Pandey @ Sonu Kumar Village- Dekpura, Moratalao Dist- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Govt. of Bihar, Patna
2. The Director General of Police (DGP) Govt. of Bihar, Patna
3. The Inspector General of Police, Patna Range, Patna
4. The Deputy Inspector General of Police, Patna Range, Patna
5. The Superintendent of Police, Patna
6. The Deputy Superintendent of Police, East Patna
7. The Station House officer (SHO), Ram Krishna Nagar Ps, East Patna
8. The Sub Insepctor Cum Investigation Officer, Ps- Ramkrishna Nagar, East Patna
9. Arun Kumar Pandey Son of Mahesh Pandey Village- Purani Bazar, Chitranjan Road, Ward no. 09, Ps- Lakhisarai, Dist- Lakhisarai

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Paswan, Advocate
For the Respondent/s : Mr.G.P.27

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

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



counsel for the State.

2. The petitioners have moved the Court for the following reliefs:

“i. To direct the respondent authorities to conduct a fair, impartial, and independent investigation into Ramkrishna Nagar P.S. Case No. 365 of 2025, dated 05.05.2025, under the supervision of this Hon'ble Court, free from political pressure or bias, ensuring that all material evidence is duly collected and examined. The informant has since admitted that the FIR was filed hastily under political influence, realized that the petitioners had no role in the natural death of the deceased, and submitted a representation dated 01.07.2025 (Annexure-P/3) requesting withdrawal of the case, which remains unacted upon. These circumstances clearly warrant an independent investigation to prevent miscarriage of justice. It is further prayed that the respondent authorities be directed to act upon the informant's representation dated 01.07.2025 and duly record his statement under Section 180 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

ii. To direct a stay on the operation, implementation, and further proceedings in Ramkrishna Nagar P.S. Case No. 365 of 2025, dated 05.05.2025, registered under Sections 103(1), 238(a), 123, and 61(2)(a) of the Bharatiya Nyaya Sanhita, 2023, insofar as it pertains to the petitioners, as they have been falsely implicated without any factual or legal basis, despite being innocent and no prima facie case being made out against them.

iii. To direct the Respondent No. 5, the Superintendent of Police, Patna, as well as Respondent No. 7 i.e. Station House Officer (SHO), Ram Krishna Nagar Police Station, East Patna, to consider and dispose of, in accordance with law and within a stipulated



time frame, the representation submitted by the mother of Petitioner No. 1, dated 30.05.2025, as well as the request submitted by the informant on 01.07.2025 seeking withdrawal of the FIR, with a view to verifying the factual allegations and ensuring a fair, proper, and thorough investigation so as to ascertain the true and correct facts of the case.”

3. The present application is disposed of with liberty to the petitioners to approach the Magistrate in light of the Judgment of the Hon’ble Supreme Court in the case of ***Sakiri Vasu vs. State of U.P.***, reported as ***(2008) 2 SCC 409***, for proper investigation.

4. The application stands disposed of.

(Sandeep Kumar, J)

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