

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2323 of 2023

In

Criminal Writ Jurisdiction Case No.1248 of 2021

Munni Kumari Wife of Purushottam Paswan, Resident of Jagat Kranti Apartment, Flat No. 12 Miss Mandal Compound, Police Station - Budha Colony, District - Patna.

... .. Petitioner/s

Versus

1. Mr. Amir Subhani, The State of Bihar through the Principal Secretary Home (Police), Bihar, Patna.
2. Mr. Rajvinder Singh Bhatti, the Director General of Police- Cum- Inspector General of Police, Bihar Patna.
3. Mr. Manaw Jeet Singh Dhillon, the Deputy Inspector General of Police, Patna, Division, Patna.
4. Mr. Dr. Chandra Shekhar Singh, the District Magistrate, Patna, Bihar.
5. Mr. Rajeev Mishra, the Senior Superintendent of Police, Patna, Bihar.
6. Mr. Alok Kumar, the Sub-Divisional Officer, Patna, Bihar.
7. Mr. Manoj Kumar Singh, the S.H.O. Digha, P.S.- Digha, Patna.
8. Mr. Rajesh Kumar Sinha, the Investigating Officer of Digha, P.S.- 390 of 2021.
9. Md. Murtaza @ Niyazuddin @ Nanhen Son of Resident of Mohalla- Digha, District - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Munish Kumar, Advocate
For the Opposite Party/s : Mr. Md. Irshad (AC to SC-1)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

7 18-04-2025 Heard Learned Counsel for the petitioner and Learned Counsel for the State.

2. Learned Counsel for the petitioner submits that *vide* order dated 24.03.2023 passed in Criminal Writ Jurisdiction Case No. 1248 of 2021, it was specifically directed to the Superintendent of Police to consider the petitioner's representation and take appropriate action. Counsel submits that the Superintendent of Police in-spite of taking appropriate action, has conducted the investigation in such a way that final



form has been submitted, in-spite of the fact that the dead body of the petitioner's son indicates that offence has been committed on his body prior to death due to ante-mortem injury.

3. Learned Counsel for the State on the other hand submits that the petitioner's representation has been considered and the Superintendent of Police has duly instructed to the subordinates to take proper course of action in this matter and upon investigation, the final form has been submitted as mistake of fact.

4. In this background, this Court is of the view that the opposite party no.5 is not under contempt and therefore, the present contempt proceeding is hereby dropped.

5. If, petitioner has still any grievance from the report of the Superintendent of Police as mistake of fact under the criminal justice system, then the petitioner shall have liberty to file protest before the concerned Magistrate who shall look into every aspect of the matter.

6. Hence, the present MJC application is hereby dismissed.

(Dr. Anshuman, J)

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