

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1646 of 2024

Arising Out of PS. Case No.-1763 Year-2023 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Somari Devi Wife of Ram Sundar Mahto Resident of Vilagel- Bharwa Tola,
Ward No. -08, P.S.- Manuapul, Distt.- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, patna Bihar
2. The Director General of Police, Bihar, Patna Bihar
3. The Superintendent of Police, Bettiah, West Champaran Bihar
4. The Officer in Charge, Manuapul, Police Station, Manuapul, Bettiah, Distt.- West Champaran Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra, S.C.16

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 09-04-2025 The petitioner has approached this Court by filing an application under Article 226 of the Constitution for a direction upon the police authority to register an FIR on the basis of the complaint which was sent to the Officer-in-charge of the Bettiah Manuapul police station with a direction to treat the same as an FIR and proceed with the investigation of the case. On the basis of the said complaint, the learned Chief Judicial Magistrate, *vide* order dated 18th July 2023, sent the said complaint under the provision of Section 156(3) of the CrPC to the concerned police station, directing the SHO of Bettiah Manuapul P.S. to



treat the said complaint as an FIR and to register the case. However, the SHO, Bettiah Manuapul police station, did not take any action in spite of the order dated 18th July 2023, till date.

2. Subsequent reminder was made by the learned Chief Judicial Magistrate, Bettiah, directing the SHO of the said police station to register an FIR, but he turned a deaf ear to the said order. The action, on the part of the SHO Bettiah Manuapul P.S., amounts to non-compliance of his statutory duty and also dereliction of duty.

3. The learned Advocate appearing on behalf of the respondents also admits that he cannot support the act of the SHO, Bettiah Manuapul P.S.

4. In view of such circumstances, the SHO, Bettiah Manuapul P.S., is directed to register the FIR forthwith on the basis of the complaint dated 18th July 2023. With the above direction, the instant writ petition is disposed of.

5. However, the SHO, Bettiah Manuapul P.S., is directed to appear personally before this Court within 7 days from the date of communication of this order to show cause as to why this Court shall not recommend for departmental inquiry against him for dereliction of statutory duty vested upon him.



6. The instant matter be listed on 21st April 2025 for the appearance of the SHO, Bettiah Manuapul P.S., and the filing of the show cause. The learned Advocate appearing on behalf of the State respondents is requested to send a server copy of this order to the SHO of Bettiah Manuapul P.S. forthwith.

(Bibek Chaudhuri, J)

Suraj Dubey/-

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