

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No. 1446 of 2023

Arising Out of PS. Case No.-139 Year-2023 Thana- PANAPUR District- Saran

Manju Devi wife of Santlal Nat Village- Sisai Po- Dumarsan Bangra Ps-
Mashrakh Dist- Saran

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Department of Home, Bihar, Patna
2. The Union of India through the Secretary, Ministry of Home, Narcotic Drugs Control Bureau, New Delh New Delhi
3. The Inspector General of Police, Bihar, Patna
4. The Inspector General of Police, Bihar, Patna
5. The Superintendent of Police, Bihar Saran
6. The Deputy Superintendent of Police, Marhaurha Dist- Saran
7. The Officer in Charge, Panapur Ps- Dist- Saran

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Surendra Kishore Thakur, Advocate
For the Respondent/s	:	Mr. Md. Irshad, AC to SC-1
For the UOI	:	Ms. Awdhesh Kumar Panday, Sr.CGC
		Mr. Arvind Kumar, CGC
		Mr. Abhishek Kumar Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-04-2025 Heard learned counsel for the petitioner; learned APP
for the State and learned counsel for Union of India.

2. The petitioner has moved the Court for the
following reliefs:

*“i) For issuance of writ in the nature
of mandamus commanding and directing the
Respondent authorities to enquire into the
matter with regard to the illegal action of the
Officer-in-charge of the concerned Police
Station who is lodging F.I.R one and another
against the different persons with illegal*



motive to detain the accused persons for longer time under the Narcotic Drugs & Psychotropic Substances Act though nothing was recovered from the possession of the accused persons and only on the instruction of the Superintendent of Police, Saran the present case has been lodged under the Narcotic Drugs & Psychotropic Substances Act.

(ii) For further direction to the Respondent authorities also to produce the tower location of mobile phone of the accused namely Bhola Nat, Ajay Nat and Sanjay Singh who were holding mobile at the time when the alleged recovery was shown though the accused (son of the petitioner) was arrested for somewhere else and has been shown illegally that when the informant was on patrolling the accused was arrested and from his possession article recovered.

(iii) For further direction to the Respondent authorities to get collect the CCTV footage from the Awtar Nagar Railway Station from where the sons of the petitioner Bhola Nat, Ajay Nat and their friend Sanjay Kumar Singh were arrested to show that whether the accused were arrested from the Railway Station or arrested from the Chandrika Chowk and also called detail and tower location of the mobile number 7762936085 which was with Bhola Nat as at about 3.30 P.M. a call was made by the Officer-in-charge on the mobile phone of Bhola Nat and was directed to come at Patna Junction from where he was arrested but in the F.I.R illegally shows to be arrested from Chandrika Chowk.

(iv) For further direction to the Respondent authorities to take appropriate action against the Superintendent of Police and Officer-in-charge of the concerned Police Station who illegally arrested the accused of this case and has booked in this case as he was released on bail under Excise Act.”

3. After going through the records of the case, I am of



the view that this Court in its writ jurisdiction cannot and should not interfere on the ongoing investigation.

4. This application is dismissed with liberty to the petitioner to move the appropriate authority including the Superintendent of Police concerned where the investigation is being done.

(Sandeep Kumar, J)

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