

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2527 of 2023

In
Criminal Writ Jurisdiction Case No.121 of 2023

=====

Azmat Ara Daughter of Md. Fashat Hussain @ Fasahat Hussain, Resident of
Village and P.o.-Rajpur, Police Station-Sabour, District Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri S. Sidharth, the Principal Secretary, Department of Homes, Government of Bihar, Patna.
2. Mr. R.S. Bhatti, the Director General of Police, Bihar, Patna.
3. Mr. Amit Lodha, the Inspector General of Bihar, Patna.
4. Mr. Viveka Nand, the Deputy Inspector General of Police, Bhagalpur.
5. Mr. Anand Kumar, the Superintendent of Police, Bhagalpur.
6. Mr. Gaurav Kumar, the Deputy Superintendent of Police, Bhagalpur.
7. Mr. Binod Jaiswal, the S.H.O. Sabour P.S., District-Bhagalpur.
8. Mrs. Priya Kumari, the Sub Inspector of Police, Sabour P.S., District-Bhagalpur.
9. Mr. Praveen Sood, the Director, C.B.I. New Delhi, Governemnt of India.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s :	Mr. Bidhanesh Misra, Advocate
For the Opposite Party/s :	Mr. Manish Kumar (Gp 4)
	Mr. Deepak Kumar, AC to GP-4
For the CBI :	Mr. Ram Tujabh Singh, CGC

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 26-09-2025 Heard learned Counsel for the petitioner, learned

Counsel for the Central Bureau of Investigation and learned

Counsel for the State.

2. Learned Counsel for the State submits that a

detailed show-cause has been filed in which all the actions,

which have been taken during the course of investigation, have



been taken care of, unfair and impartial investigation has already been redressed and final form has been submitted to the competent Court in fair and partial manner.

3. Learned Counsel for the petitioner, in reply, submits that it has been specifically mentioned that the objection/representation raised by the petitioner has not been taken care of. Counsel also submits that the petitioner has already filed a protest petition bearing No.90 of 2023 on 19.12.2023 against the final form submitted by the police in the Court of Chief Judicial Magistrate, Bhagalpur.

4. It transpires to this Court that the direction made by this Court on the representation has been done, but allegation of the petitioner is that it has not been done in rightful manner. It also transpires to this Court that the remedy available to the petitioner to file protest-cum-complaint which petitioner has availed.

5. In this background, this Court is not inclined to pursue this MJC application, but hereby directs the Chief Judicial Magistrate, Bhagalpur, that he shall minutely scrutinize the documents produced by the petitioner before him relating to the present case and then he shall take a decision. It goes without saying that in the case of Surendra Singh Vs. The State



of Bihar and Others with analogous cases passed in CWJC No.153 of 2017 on 09.09.2022 the power to the Chief Judicial Magistrate has already been described in detail.

6. With this direction, the present MJC application is disposed off.

(Dr. Anshuman, J)

Mkr./-

U			
---	--	--	--

