

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2124 of 2024

Arising Out of PS. Case No.- Year-0 Thana- District- Supaul

Indrakala devi Wife of Shiv Kumar Yadav R/O-Gangapur Ward No.- 16, PS-
Bhaptiyahi, District- Supaul, Bihar-852105

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department,
Government of Bihar, Patna Bihar
2. Director General of Police, State of Bihar at Patna Bihar
3. Superintendent of Police, Distt.- Supaul, Bihar Bihar
4. Jail Superintendent, Distt.- Araria, Bihar Bihar
5. Jail Superintendent, District- Supaul, Bihar Bihar
6. Station House Officer, Bhaptiyahi Police Station, Distt- Supaul Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan
For the Respondent/s : Mr.G.A.11

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 10-07-2025 Heard the parties.

2. This application has been filed on behalf of the
petitioner for the following reliefs:-

*(I) For issuance of an appropriate writ
in the nature of Mandamus commanding and
directing for direction of court monitored inquiry
by any independent agency or any other agency
than police in the instant matter as a there is
serious violation of human rights as well as other
legal rights of the deceased son of the petitioner
and the wrongdoer is required to be not only
identified but also brought to justice.*



(II) For issuance of an appropriate writ in the nature of Mandamus commanding and directing the respondent authorities for following the guidelines propounded by the Hon'ble Supreme Court of India as also the National Human Rights Commission in cases of custodial deaths in the instant case as the same has not only been not followed in present case but rather same has been abused by the respondent concerned authorities.

(III) For issuance of an appropriate writ in the nature of Mandamus commanding and directing the respondent authorities for immediately registration of fresh FIR for murder and other relevant sections of the IPC/BNS.

(IV) For issuance of an appropriate writ in the nature of Mandamus or any other writ of similar nature, commanding and directing the respondent authorities to adequately compensate the petitioner and her family for the reason that she has been made to suffer for laxity on the part of the respondent authorities.

3. Learned counsel for the petitioner submits that no FIR has registered in a case of custodial death.

4. Learned counsel for the State, relying upon the counter affidavit has submitted that judicial enquiry is going on and the Human Rights Commission has also been informed.

5. It is expected that the judicial enquiry by the CJM,



Araria be concluded within the next three months and thereafter, the respondents may register the FIR if the CJM, Araria confirms the fact of custodial death.

6. The petitioner is given liberty to move to Bihar State Human Rights Commission.

7. This application stands disposed of with the aforesaid direction.

(Sandeep Kumar, J)

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