

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2491 of 2024

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

Mohd. Furqan @ Mohd. Furkan @ Md. Khurkhan Son of Mohd. Gulab Shaikh Resident of Village- Gadha, PO and PS- Pupri, Distt.- Sitamarhi. At present Room No. 4, Line No. 4, Plot No. 41, Shivaji Nagar, Mumbai, Maharashtra

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Main Secretariat, Patna Bihar
2. The Director General of Police, Government of Bihar, Sardar Patel Bhawan, Bailey Road, Patna Bihar
3. The Department of Police represented by its Secretary, Home Department, Govt. of Bihar Bihar
4. The Deputy Superintendent of Police (Rail), Government of Bihar, Muzaffarpur Bihar
5. The Superintendent of Police Rail, Government of Bihar, Muzaffarpur Bihar
6. The Superintendent of Police Rail, Government of Bihar, Sitamarhi Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Akash Keshav
For the Respondent/s : Mr.G.A.7

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 17-06-2025 Heard the parties.

2. This application has been filed for seeking
following reliefs:

“I. For issuance of a writ in the nature of Mandamus or any other appropriate writ (s) or order (s) or direction (s) commanding the Respondent Authorities to conduct fair and authentic registration of offence and proper investigation in FIR Bearing Rail P.S. Sitamarhi Case No. 19 of 2024, Rail P.S. Sitamarhi Case No. 20 of 2024 and Rail P.S. Sitamarhi Case No. 21 of 2024.
II. For issuance of a writ in the nature of Mandamus or any other appropriate writ (s) or order (s) or di-



rection (s) commanding the Respondent Authorities to bear all the medical expenses incurred or to be incurred on proper medical care, treatment and surgeries that the petitioner has to undergo as a consequence of police brutality by Respondent authorities.

III. For issuance of a writ in the nature of Mandamus or any other appropriate writ (s) or order (s) or direction (s) commanding the Respondent Authorities to grant monetary compensation of Rs.20,00,000/- (Rupees Twenty Lakhs Only) to the Petitioner against the injuries that the petitioner has suffered on account of physical assault as a result of which the intestines of the petitioner bulged out. This is an act violating the Right to Life and Personal Liberty of the Petitioner as guaranteed under Article 21 of the Constitution of India.

IV. For issuance of a writ in the nature of Mandamus or any other appropriate writ (s) or order (s) or direction (s) commanding the Respondent Authorities to further grant compensation as this Hon'ble Court deem fit to the petitioner victim for that the petitioner's right to carry out profession and right to livelihood as guaranteed under Article 19(i) (g) and Article 21 of the Constitution of India is infringed by the action of the railway police.

V. For issuance of a writ in the nature of Mandamus or any other appropriate writ (s) or order (s) or direction (s) commanding the appropriate authority to conduct enquiry through an independent agency against the officials who are found liable in the facts and circumstances of this case.

3. After some arguments, learned counsel for



the petitioner submits that the petitioners wants to move before the Bihar State Human Rights Commission for redressal of a part of his grievances i.e. the compensation as it has been alleged by him that he was brutally assaulted by the GRP which caused damage to his intestine.

4. So far as the other grievances are concerned, this application is disposed of with liberty to the petitioner to file an appropriate application before the appropriate forum/Court as and when the situation arise.

5. This application stands disposed of with the above liberty.

6. If any application is filed by the petitioner before the Bihar State Human Rights Commission then the same shall be considered on merits and shall not be disposed of on the ground of limitation as the petitioner was pursuing his remedy before this Court.

(Sandeep Kumar, J)

anand/-

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