

Arising Out of PS. Case No.-210 Year-2024 Thana- BEERPUR District- Begusarai

1. The State of Bihar through the District Magistrate, Begusarai Bihar
2. Superintendent of Police, Begusarai Bihar
3. Station House Officer, Birpur Police Station, Begusarai Bihar
4. Ranjit Kumar Son of Unknown Resident of Chakkbali, Bihat, P.S.- Barauni Bihat, Begusarai
5. Sunita Devi Wife of Ram Prakash Sharma Resident of Lakshmipur, P.S.- Birpur, Dist.- Begusarai,

... .. Respondent/

For the Petitioner/s : Mr. Sarvottam Kumar
For the Respondent/s : G.P. 26

2 08-05-2025 Heard learned counsels for the parties.

(i) For directing the respondent no.2 to add the appropriate Sections in the Birpur P.S. Case No.210 of 2024 registered under Sections 115(2), 351(2), 303(2), 352, 81, 3(5) of BNS such as Section 64, 137 and 127 of B.N.S. and any other relevant Sections based on the allegations, in the FIR to ensure that the serious nature of the offences in properly addressed.

(ii) For giving direction of reinvestigation into the allegations made in the FIR with instructions to properly follow the



prescribed legal procedures, including obtaining the original signature of the victim.

(iii) To order a fair and impartial investigation, which may include the constitution of a Special Investigation Team (SIT) or transferring the investigation to an independent agency if the current investigation appears biased or inadequate.

(iv) For giving direction for disciplinary action against the police officers responsible for the delay or refusal to register the FIR under the appropriate Sections for failing to institute the FIR on the application of victim bearing her original signature and for institution of FIR on xerox copy of application of victim suppressing its original and for failing to conduct a timely and proper investigation involved in registration of the FIR, thereby violating the Section 199 of BNS.

(v) To provide the declaration from the Court that the failure to obtain an original signature on the FIR and suppression of original application of victim for FIR bearing her original signature amounts to a procedural irregularity that can potentially vitiate the investigation.

(vi) To supervise the investigation to ensure that it is conducted fairly and promptly, with regular updates being provided to the Court



until the charge sheet is filed.

(vii) To provide compensation for the mental agony, trauma and violation of fundamental rights suffered by the petitioner due to the negligence or deliberate inaction as well as providing benefit to the opposite party nos.4 and 5 by the S.H.O.

(viii) For any other relief to which the petitioner is found entitled to in the facts of the case.

3. Learned counsel for the petitioner submits that the FIR of the petitioner has been registered. Petitioner wants major offences to be added in the FIR.

4. Accordingly, this application is disposed of with an observation that if during investigation the major offences are said to have been committed by the accused persons the police is duty bound to submit the charge sheet under those Sections. This Court will not interfere in the investigation and direct for addition of serious offences.

(Sandeep Kumar, J)

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