

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.253 of 2024

Arising Out of PS. Case No.-179 Year-2020 Thana- DHAKA District- East Champaran

Mohammad Kalam @ Md. Kalam Son Of Nek Mohammad Resident Of
Village - Karsahiya, P.S. - Dhaka, District - East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Director General Of Police, Bihar, Patna Bihar
2. The Deputy Inspector General Of Police, East Champaran, Bettiah, Bihar Bihar
3. The Superintendent Of Police, Sikrahna, Motihari, East Champaran Bihar
4. The Dy. S.P. Sikhrana, East Champaran Bihar
5. Ratan Gagrai The Then I.O., P.S. - Dhaka, Motihari, East Champaran
6. Abdul Khalik Son Of Late Abdul Wahid Resident Of Village - Karsahiya, P.S. - Dhaka, District - East Champaran

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Aakash Choudhary, Advocate
For the Respondent/s	:	Mr. Vivek Prasad, G.P.7
		Mr. Aman Priyadarshi, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 29-04-2025 Heard the learned counsel for the petitioner and the

learned counsel for the State.

2. This application has been filed on behalf of the
petitioner for the following relief(s):

“(i). For issuance of appropriate writ/order/direction in the nature of Mandamus for directing the Respondent Authorities to take legal action and also for instituting F.I.R against the Respondent No.5 (the then I.O, P.S Dhaka, Motihari,



East Champaran) for defying and sidelining the direct orders of his Superiors and thereafter, filing chargesheet against the Petitioner and his family members in connivance with the accused persons in Dhaka P.S. Case No. 179 of 2020 dated 17.05.2020 for the offence punishable under Section 341, 323, 324, 354, 379, 504 read with Section 34 of the Indian Penal Code.

ii). That the Petitioner further prays for issuance of appropriate writ/order/direction the Respondent Authorities to consider the supervision report of the Dy. S.P, Sikhrana and S.P, East Champaran, wherein they have found that the case instituted by the accused Respondent No.6 against the Petitioner and his family members to be false i.e., Dhaka P.S. Case No. 179 of 2020 dated 17.05.2020 rather the case instituted by the Petitioner against the accused Respondent No.6 and his family members to be true i.e., Dhaka P.S. Case No. 176 of 2020 dated 16.05.2020, which was prior to the case of the Respondent No.6.”

3. This application is disposed of with liberty to the petitioner to approach the Superintendent of Police, East



Champaran, Motihari by filing a representation for redressal of his grievances.

4. If such a representation is filed by the petitioner before the Superintendent of Police, East Champaran, Motihari, an appropriate order shall be passed by him in accordance with law within 15 days of its filing.

(Sandeep Kumar, J)

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