

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.216 of 2026

Arising Out of PS. Case No.-14 Year-2026 Thana- Chitragupta Nagar District- Patna

Nawin Kumar @ Navin Kumar @ Naveen Kumar Son of Late Ramanuj
Sharma R/o Village- Patiyawan, P.S.- Shakurabad, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Home Department, Government of Bihar, Patna
3. The Principal Secretary. Health Department, Government of Bihar, Patna.
4. The Director General of Police, Patna, Bihar.
5. The Superintendent of Police, Patna, Bihar.
6. Roshni Kumari @ Raushni Kumari The Station House Officer (SHO) cum the Investigating Officer (IO) in the present case at P.S.- Chitragupt Nagar, District- Patna, Bihar.
7. Shravan Agrawal Director/ Coordinator/ Operator of Shambhu Girls Hostel, Munnachak, Patna, Bihar.
8. Neelam Agrawal Director/ Coordinator/ Operator of Shambhu Girls Hostel, Munnachak, Patna, Bihar.
9. Ashu Agarwal @ Anshu Agarwal Director/ Coordinator/ Operator of Shambhu Girls Hostel, Munnachak, Patna, Bihar.
10. Nitu Kumar @ Nitu Thakur Warden of Shambhu Girls Hostel, Munnachak, Patna, Bihar.
11. Chanchala Warden of Shambhu Girls Hostel, Munnachak, Patna, Bihar.
12. Manish Ranjan @ Manish Chandrawanshi Owner of the building/house of Shambhu Girls Hostel, Munnachak, Patna, Bihar.
13. Dr. Prabhat Memorial Hiramati Hospital, Rajendra Nagar, Patna, Bihar
14. Dr. Satish Doctor at Dr. Prabhat Memorial Hiramati Hospital, Rajendra Nagar, Patna, Bihar
15. Jay Prabha Medanta Super Speciality Hospital Kankarbagh, Patna, Bihar
16. Sahaj Surgery Kankarbagh, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Diwakar, Advocate Mr. Shivam Kumar, Advocate Mr. Deepak Kumar, Advocate Ms. Priya Kumari, Advocate Mr. Sudhakar Ranjan, Advocate
For the State	:	Mr. Kinkar Kumar, S.C.9 Ms. Vagisha Pragya Vacaknavi, Advocate



CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-02-2026 The present writ petition has been filed by the
petitioner seeking following relief(s):

“(i) For issuance of order(s) / direction(s) or writ(s) in the nature of Mandamus directing the concerned Respondent Authorities to ensure carrying out the proper and adequate full-fledged investigation in Chitragupt Nagar P.S Case No. 14/26 dated 09.01.2026 whereby and where under Patna Police (Chitragupt Nagar P.S. Police), acting in collusion and under influence of the Respondents 2nd Set, is not conducting a fair investigation in the case in order to provide illegal & undue advantages to the Respondents 2nd Set and merely for the sake of formality, an SIT has been constituted but that SIT too is not conducting proper investigation in the matter; as such, the investigation in this case may be carried out under the supervision/ chairmanship/monitoring of a retired Judge of the Hon'ble Supreme Court of India or Hon'ble Patna High Court or by any independent investigating agency/Central Bureau of Investigation (C.B.I.) after constituting a medical team comprising of well renowned & expert doctors and enabling them properly examine the complete medical treatment records of the Deceased Gayatri Kumari along with the connected FSL report, Viscera report and DNA report (tracing through vaginal swabs of the Deceased) in order to find out the real/ actual culprit(s) (who raped and killed the Deceased) and derive out the actual reason behind her death and also to ensure fast, efficacious and proper ends of justice to the aggrieved Petitioner and his family members. And/or



(ii) For issuance of further order(s) / direction(s) or writ(s) in the nature of Mandamus directing the concerned Respondent Authorities to provide security to the Petitioner and his other family members from the Respondents 2nd Set, from Patna Police (Chitragupt Nagar P.S.) as well as from the SIT of Patna Police, who in place of investigating the matter properly and punishing the culprits, are merely carrying formalities on the name of investigation and are unnecessarily harassing the Petitioner and his other family members by asserting undue mental pressure upon them after restraining their movements in order to provide undue advantages to the Respondents 2nd set and to weaken the case of the Petitioner where the security of life & property of the Petitioner and his other family members are at high risk. And/or

(iii) For issuance of further order(s) / direction(s) or writ(s) in the nature of Certiorari for amendment in the FIR in Chitragupt Nagar P.S Case No. 14/26 dated 09.01.2026 corroborating the Postmortem report (which reflects that the possibility of sexual assault with the Deceased cannot be denied) by adding the relevant sections of the POCSO Act because of the Deceased being 'minor' (below 18 years of age) at the time of incident where mistakenly her age was recorded in the FIR as 18 years. And/or

(iv) For issuance of further order(s) / direction(s) or writ(s) in the nature of Prohibition for protecting the Petitioner and his other family members from the harassment being done to them by media trials by fake social media reporters and YouTubers. And/or

(v) For issuance of any further order (s) / direction (s) or writ(s) which this Hon'ble Court may deem fit and proper in the facts and



circumstances of the instant case.”

2. Learned counsel appearing on behalf of respondents-State, at the outset, submits that the matter has been handed over to the Central Bureau of Investigation for investigation vide Notification No. 09/CBI-80-03/2026-Home Deptt-1446/Patna dated 31.01.2026 and the apprehension of the petitioner has no basis and the matter has become infructuous.

3. Learned counsel appearing on behalf of the petitioner submits that the matter is very serious and needs to be monitored by a retired Judge of Hon'ble Supreme Court or a Sitting Judge of this Court. Learned counsel further submits that the police has been harassing the family members of the deceased girl and some orders need to be passed by this Court.

4. I have considered the rival submissions of the parties and perused the record. So far as contention of the learned counsel for the petitioner for the case to be monitored by a retired Judge of Hon'ble Supreme Court or a Sitting Judge of this Court is concerned, the same is simply out of question because the inquiry has just been handed over to Central Bureau of Investigation and without any basis or any reason and without showing involvement of larger public interest in the present case, the petitioner has made a prayer for monitoring the case by



a retired Judge of Hon'ble Supreme Court or a Sitting Judge of this Court.

Further prayer with regard to passing orders/directions to the Investigating Agency is also unfounded for the reason that earlier the matter was investigated by the State Police and now it has been handed over to the Central Bureau of Investigation under Delhi Special Police Establishment Act, 1946. So, whatever action will now be taken in the investigation, the same would be taken by another agency and not by the State police authorities. Hence, the petitioner should not be any apprehension on this account as well. Therefore, in sum and substance, the relief(s) sought by the petitioner stands satisfied and hence, the writ petition has effectively become infructuous.

5. Accordingly, the present writ petition is disposed of as the relief(s) of the petitioner stand satisfied. In future, if the petitioner has any grievance against the investigation made by the investigating agency, he is at liberty to have recourse of law in appropriate proceeding before appropriate forum.

(Arun Kumar Jha, J)

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