

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.237 of 2022

Arising Out of PS. Case No.-12 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

Karuna Shahi W/O Dyashankar Prasad Shahi, Resident of Raghapur, P.S.-
Ahiyapur, District- Muzaffarpur, Pincode - 842004.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Bihar.
2. The Director General of Police, Bihar Bihar
3. The Inspector General of Police, Muzaffarpur Bihar
4. The Senior Superintendent of Police, Muzaffarpur Bihar
5. The Deputy Superintendent of Police (Town D.S.P.), Muzaffarpur Bihar
6. The Station House Officer, Ahiyapur, District- Muzaffarpur Bihar
7. Savita Shahi @ Pinki Shahi W/o Dilip Kumar @ Feku Shahi R/o village-
Raghapur Shahbajpur, P.S.- Ahiyapur, District- Muzaffarpur
8. Yash Raj @ Yashvi Parasar S/o Dilip Kumar @ Feku Shahi R/o village-
Raghapur Shahbajpur, P.S.- Ahiyapur, District- Muzaffarpur

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Mithlesh Kumar Gupta, Advocate Mr. Surendra Kumar, Advocat
For the State	:	Mr. Suman Kumar Jha, Advocate Ms. Rupali Jha, AC to AAG-3
For R. No. 7	:	Mr. Shiv Pratap, Advocate Ms. Kumari Shalini, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

12 08-01-2026

Heard the parties.

2. The present petition has been filed seeking direction of arrest of respondent nos. 7 and 8, who have been made accused in Ahiyapur P.S. Case No. 12 of 2021 dated 05.01.2021 for the offences punishable under Sections 302 and 120B of the Indian Penal Code pending in the Court of Chief Judicial Magistrate, Muzaffarpur for trial and disposal and secondly direction for handover of the case to CBI.



3. The police investigated the matter and State respondents have filed counter-affidavits submitting that a closure report / final form *vide* form no. 1125 of 2025 dated 25.06.2025 has been submitted with finding that despite all possible efforts to collect evidence to ascertain the complicity of FIR named accused / respondent nos. 7 and 8, no concrete evidence would be collected against them and thus, finding lack of evidence case was closed against respondent nos. 7 and 8.

4. When the police did not procure any material to show the complicity of respondent nos. 7 and 8, in the offences as alleged in Ahiyapur P.S. Case No. 12 of 2021, this Court has no occasion to order for arrest of respondent nos. 7 and 8.

5. Therefore, nothing remains in the present writ petition. However, the petitioner is at liberty to have recourse of law in appropriate proceeding before appropriate forum including the Court of learned Chief Judicial Magistrate, Muzaffarpur.

6. With the aforesaid observation, the present writ petition stands disposed of.

(Arun Kumar Jha, J)

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