

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.863 of 2022**

Arising Out of PS. Case No.-1117 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Milind Sinha Son of Arvind Kumar Sinha, Resident of House No. 16, Village - Arara West, Post- Dharhara, Near Bhagwati Mandir, Police station- Sadar Hajipur, District - Vaishali, (Bihar) - Pin Code- 844117.

... .. Petitioner

Versus

1. The State of Bihar through Director General of Police, Bihar, Patna. Bihar
2. National commission For Women, New Delhi. Bihar.
3. The Director General of Police, Bihar, Patna. Bihar
4. The Inspector General of Police, Bihar, Patna. Bihar
5. The Deputy Inspector General of Police, Vaishali, Hajipur. Bihar
6. The Superintendent of Police, Vaishali, Hajipur. Bihar
7. The S.H.O. Hajpur Sadar Police Station, District - Vaishali, Hajipur. Bihar
8. The Sub Divisional Police officer, Vaishali, Hajipur. Bihar
9. The Superintendent of Police (City), East Khasi Hills, Shillong- 793001. Meghalay
10. Arvind Kumar Sinha Son of Shankar Prasad Sinha Resident of House No. 16, Village - Arara West , Post- Dharhara, Near Bhagwati Mandir, Police station- Sadar Hajipur, District - Vaishali, (Bihar)- Pin Code- 844117. at present residing upper Mawprem Sillong, P.s.- Sumdengirrii, Meghalay.
11. Sangita Sinha 3rd wife of Arvind Kumar Sinha Resident of House No. 16, Village - Arara West , Post- Dharhara, Near Bhagwati Mandir, Police station- Sadar Hajipur, District - Vaishali, (Bihar)- Pin Code- 844117. at present residing Upper Mawprem Sillong, P.s. Sumdengirrii, Meghalay.

... .. Respondents

**Appearance :**

For the Petitioner/s : Mr. Barun Kumar Choudhary, Advocate  
For the Respondent/s : Mr. Saroj Kr. Sharma, AC to AAG-3

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

4      22-01-2026                      Heard learned counsel for the petitioner. However,  
  
there is no representation on behalf of the respondents.



2. The present writ petition has been filed seeking following reliefs:

*“(I) For issuance of an appropriate writ/writs, rule/rules or direction/directions commanding the concerned official respondent nos. 3 to 7 to arrest the respondent nos. 10 and 11 who is accused in Hajipur Sadar P.S. Case No. 1117 of 2021 dated 23.12.2021 lodged under Section 341, 323, 306, 498A/34 of the I.P.C. and 3/4 of the D.P. Act, for the murder of informant’s mother who was 2<sup>nd</sup> wife of respondent no. 10 and sautan of respondent no. 11.*

*(II) For issuance of an appropriate writ/writs, rule/rules or direction or directions commanding the concerned official respondents that after arresting the respondent nos. 10 and 11 trial of Hajipur Sadar P.S. Case No. 1117 of 2021 dated 23.12.2021 lodged under Section 341, 323, 306, 498A/34 of I.P.C. and 3/4 of the D.P. Act, may be expedite and concluded within a certain period and accordingly punish them as per law.*

*(III) For any other relief or reliefs for which the petitioner may be found entitled thereto as this Hon’ble Court may consider just and proper in the facts and circumstances of the present case.”*

3. From brief facts of the case as it transpires from the record is that the mother of the petitioner died way back in the year 1989, when the petitioner was 5 years old. After 32 years of the death of his mother, the petitioner has preferred this writ petition with allegation against respondent nos. 10 and 11, stated to be his father and step mother for causing death of his



mother. The mother of the petitioner died in Hajipur, Bihar, but the petitioner filed the FIR in Shillong, Meghalaya, the work place of his father. The allegation against respondent nos. 10 and 11 is that they have been demanding dowry and on non-fulfillment of their demand, the mother of the petitioner was murdered and her dead body was cremated with the help of maternal relatives of the petitioner. The Shillong police registered a Zero FIR and transmitted the matter to the Superintendent of Police, Vaishali at Hajipur and on the basis of such complaint, Hajipur Sadar P.S. Case No. 1117 of 2021, under Sections 341, 323, 306, 498A/34 of the I.P.C. and Sections 3/4 of the D.P. Act was instituted against the respondent nos. 10 and others. The petitioner previously lodged a complaint to the National Commission for Women to the aforesaid effect.

4. Further perusal of the record shows the Shillong police recorded the statement of respondent no. 10, who stated that he was already married with one Bindu Devi and thereafter, started a live-in relationship with mother of the petitioner and subsequently, developed intimacy with respondent no. 11 and has been staying with her. After receipt of the complaint at Hajipur, the matter was investigated and it appears the witnesses



examined during investigation stated that the mother of the petitioner died due to snake bite while she had been taking out fire-woods for preparing the meal. It has also come in their statements that the petitioner was taken to Shillong by respondent no. 10, who arranged for his studies. It has also come in the statement of the witnesses that the petitioner has been putting pressure on his father for his share of the joint family property and has been giving applications everywhere against his father.

5. The background shows the present writ is an example of the human greed which knows no boundary. The petitioner has filed the present writ against his father and others for causing death of his mother without bringing any material on record except with bland averments and has the audacity to approach this Court in the instant writ petition invoking its extraordinary power for granting him the relief as already mentioned. If the petitioner was only 2 to 5 months old when his mother died, and he was taken care of by his family members and there has been no complaints whatsoever by the parents or siblings of the deceased mother of the petitioner for all these years then without any explanation why there was no complaint for unnatural death of his mother for so many years, the



petitioner filed the FIR, that too, in Shillong and not at the place of occurrence, the natural inference is some ulterior motive on part of the petitioner. Further, the FIR has been lodged in 23.12.2021, when, admittedly, the petitioner has reached the age of 32 years, but not just after attaining majority. Not filing the case even when the petitioner attained majority in itself shows the mischievous nature and malafide of the case of the petitioner and therefore, the purpose behind lodging of the FIR after so many years is not a quest for truth, but to put pressure on his father to yield to the demands of the petitioner. Thus, the petitioner appears to have hatched a sinister plot. Therefore, I have no hesitation in holding that the present writ petition is completely frivolous and is gross abuse of process of law and act of the petitioner needs to be nipped in bud and such conduct must be deprecated in strongest terms.

6. Hence, the instant writ petition is dismissed with cost of Rs. 50,000/- (rupees fifty thousand only) on the petitioner to be paid to the Patna High Court Legal Services Committee within a period of three months. If the cost is not deposited within three months, the Collector, Hajipur is directed to realize the cost through the process of law.

7. Let a copy of this order be sent to the Collector,



Hajipur for compliance.

8. At this stage, learned counsel for the State  
appears.

**(Arun Kumar Jha, J)**

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