IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1896 of 2026

CNR No. BRHC010937072026

Arising Out of PS. Case No.-92 Year-2026 Thana- PIPRA District- East Champaran

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Rubina Khatoon W/o Khurshid Alam, Resident of village - Hardiyabad, Post - Damodarpur, PS - Pipra, District - East Champaran, Bihar - 845416.

... ... Petitioner

Versus

1. The State of Bihar, through the Additional Chief Secretary, Department of Home, Govt. of Bihar Patna, Bihar
2. The Director General of Police, Bihar, Patna. Bihar
3. The Inspector General of Police, Bihar, Tirhut Range, Muzaffarpur Bihar
4. The District Magistrate, East Champaran, District- East Champaran at Motihari Bihar
5. The Superintendent of Police, East Champaran, District- East Chamapran at Motihari Bihar
6. The Sub-Divisional Police Officer (S.D.P.O.), Chakia, District- East Chamapran at Motihari Bihar
7. The Station House Officer (S.H.O.), Pipra Police Station, P.S.. Pipra, East Chamapran at Motihari Bihar
8. Ambika Jaisawal, Investigating Officer, Pipra P.S, P.S.-Pipra, East Chamapran at Motihari Bihar

... ... Respondents

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Appearance :

For the Petitioner	:	Mr. Rajnish Prakash, Advocate Mr. Kanishk Kaustubh, Advocate Mr. Sanjeev Kumar, Advocate Ms. Aditi Sahay, Advocate Mr. Rohan Sinha, Advocate
For the State	:	Mr. Suman Kr. Jha, AC to AAG-3 Ms. Nikita Mittal, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 29-10-2026 Heard learned counsels for the parties.

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

"I. For issuance of a direction to the 7th District &

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Additional Sessions Judge-Cum Special Judge, POCSO Act, East Champaran, Motihari for re-recording of statement of minor rape victim under Section 183 B.N.S.S. in connection with Pipra P.S case No. 92 of 2026, wherein the statement of the victim has been recorded before the Learned Judicial Magistrate First Class, Motihari on 29.05.2026 in complete violation of Section 25 and Section 26 of the Protection of Children from Sexual Offence Act, 2012.

II. For issuance of direction to the Superintendent of Police, East Champaran, Motihari for a proper investigation with regard to Pipra P.S case No. 92 of 2026 registered for the offences under Section 137 (2), 96, 61 (2) of the B.N.S. later on Section 3(5) B.N.S. and Section 8/12 of the POCSO, Act added on 18.05.2026, as the Investigating Officer (Respondent No. 8) in connivance of the accused persons obtained the statement of the victim after subjecting her to coercion and threat in absence of the parents of the victim or any other person in whom the victim is having confidence and in complete violation of the Section 24, and also in violation of Section 19 of the POCSO Act and Rule-6 POCSO Rules, 2016.

III. For any other relief / reliefs as this Hon'ble Court deem fit and proper."

3. On query, learned counsel for the petitioner submits that the petitioner has already moved before the learned 7th District & Additional Sessions Judge-Cum Special Judge, POCSO Act, East Champaran, Motihari on 18.06.2026 with prayer 1(I), but till date no orders have been passed.

4. As the petitioner has already moved before the Court of learned 7th District & Additional Sessions Judge-Cum Special Judge, POCSO Act, East Champaran, Motihari, by filing the instant

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criminal writ petition the petitioner is seeking intervention of the Court in a judicial proceeding, it would be fit and proper in the facts and circumstances that the learned 7th District & Additional Sessions Judge-Cum Special Judge, POCSO Act, East Champaran, Motihari be directed to pass an order on the representation of the petitioner dated 18.06.2026 in accordance with law and it is ordered accordingly.

5. So far as the second prayer of the petitioner is concerned about proper investigation in connection with Pipra P.S case No. 92 of 2026, the petitioner has got a statutory remedy for the same in terms of Section 193(9) of the B.N.S.S., 2023, and he is directed to make prayer before the learned trial Court for further investigation in the matter.

6. With the aforesaid observations, the present writ petition is disposed of.

7. The 7th District & Additional Sessions Judge-Cum Special Judge, POCSO Act, East Champaran, Motihari is directed to dispose of the representation of the petitioner at the earliest.

(Arun Kumar Jha, J)

Shahnawaz/-

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