

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.310 of 2023

Arising Out of PS. Case No.-18 Year-2023 Thana- RUPASPUR District- Patna

SANJEEV HANS Son of Shri L.D. Hans R/O HOUSE NO. A3/4, 96 OFFICERS FLATS, RAJVANSHI NAGAR, NEHRU PATH, P.S. SHASHTRI NAGAR, PATNA-800023

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Director General of Police, Old Secretariat, Patna Bihar
3. Senior Superintendent of Police, Patna Bihar
4. Station House Officer, Rupaspur Police Station, Patna Bihar
5. Gayatri Kumari D/O Late Rajeshwar Singh Resident of Village- Kataiya, P.S.- Jamhur, District- Aurangabad

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rana Vikram Singh
For the Respondent/s : Mr.Prabhat Kumar Verma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2023

It is submitted on behalf of the petitioner that the complaint petition has been filed without compliance of statutory provision of 154 (1) of the Cr.P.C. and 154(3) of the Cr.P.C. It is next submitted that the learned court below without taking note of the fact that complainant has not complied with the mandatory provisions as laid down by the apex court in the case of Priyanka Srivastave and Anr. vs. Uttar Pradesh and Ors. reported in 2015 6 SCC 287, mechanically sent the aforesaid complaint petition for lodging the FIR under section 156(3) of the Cr.P.C. which is evident from the complaint filed by the complainant from Annexure 1 of the writ petitioner which is the copy of the complaint filed by the complainant.

Meanwhile, during the pendency of the case, no



coercive steps shall be taken against the petitioner in the aforesaid case in connection with Rupaspur P.S. Case No. 18/2023 dated 09.01.2023 registered under sections 321, 341, 37, 376D, 420, 313, 120B, 504, 506, 34 of the IPC, 1860 and section 67 of the Information Technology Act, 2000.

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(Prabhat Kumar Singh, J)

