

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.1914 of 2023**

Arising Out of PS. Case No.-815 Year-2023 Thana- RUPASPUR District- Patna

Rakesh Kumar Ranjan

... .. Petitioner

Versus

The State of Bihar through Chief Secretary, Govt. of Bihar, Patna & Ors.

... .. Respondents

**Appearance :**

For the Petitioner/s : Mr. Aditya Nath Pandey, Advocate  
For the Respondent/s : Mr. Sushil Kumar, GP-22  
Mr. Narendra Kumar Singh, AC to GP-22

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

5 29-01-2024

Despite all efforts having been taken by this Court so far to sensitise the S.H.O. of Rupaspur Police Station, who is the I.O. of this case, this Court finds that no breakthrough is coming. The victim is a minor girl who seems to have been kidnapped while returning from her coaching institute.

2. Learned counsel for the petitioner has drawn the attention of this Court towards the advisory issued by the Government of India, Ministry of Home Affairs pursuant to the direction of the Hon'ble Supreme Court in Writ Petition (Civil) No. 75 of 2012. The Hon'ble Supreme Court has clearly held that there will be an initial presumption of either abduction or trafficking, unless, in the investigation the same is proved otherwise. One of the directions is that if a missing child is not recovered within four months from the date of filing of the First



Information Report, the matter may be forwarded to the Anti-Human Trafficking Unit in each State in order to enable the said Unit to take up more intensive investigation regarding the missing child.

3. Today, four months period is expiring in this case. It is a very unfortunate situation that even the cameras which were installed by the Police authorities on the nearby places were lying defective and unworking. Learned counsel for the petitioner has, however, found from the camera of one of the nearby shops that the victim girl was returning from her coaching institute and while crossing the road all of a sudden an Innova car stopped near her and thereafter her whereabouts could not be found.

4. The Senior Superintendent of Police, Patna shall personally go through the video clips available with learned counsel for the petitioner by giving him an opportunity to be present with his client within three days from today. After going through the video clips and other materials, it is expected that the Senior Superintendent of Police shall draw a strategy as to how to go further in this case to find out the victim girl and nab the culprits. All such suspects in the case must be thoroughly inquired into/examined with such rigours as may be required



and in this regard the S.S.P., Patna shall take immediate steps.

5. Let this matter be listed on 2<sup>nd</sup> February, 2024 at 2:15 pm under the heading 'For Orders'.

6. The S.S.P., Patna shall be present for interaction with the Court through online mode whereas the S.H.O. of Rupaspur Police Station shall be present in person in Court with complete case diary of this case.

7. Let this order be communicated to the S.S.P., Patna through Fax.

**(Rajeev Ranjan Prasad, J)**

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