

ITEM NO.4

COURT NO.16

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s).2126-2130/2025

[Arising out of impugned final judgment and order dated 11-12-2024 in CRADB No.1238/2024, CRADB No.1181/2024, CRADB No.1150/2024, CRADB No.1136/2024 and CRADB No.1278/2024 passed by the High Court of Judicature at Patna]

MADHURI DEVI**Petitioner(s)****VERSUS****ARJUN DAS @ KARIYA & ANR. ETC.****Respondent(s)****(IA No. 21888/2025 - EXEMPTION FROM FILING O.T.)****Date : 19-05-2025 These matters were called on for hearing today.****CORAM :**

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) **Mr. Dharmendra Kumar Sinha, AOR**
Mr. Atul Jha, Adv.
Mr. Rajiv Kumar Jha, Adv.
Ms. Surabhi Jain, Adv.

For Respondent(s) **Mr. Samir Ali Khan, AOR**
Mr. Pranjal Sharma, Adv.
Mr. Kashif Khan, Adv.

Mr. Rohit Kumar Singh, AOR
Mr. Shivam Sharma, Adv.
Mr. Akash Kumar, Adv.
Mr. Amit Kumar, Adv.
Mr. Saurabh Agrawal, Adv.

Mr. Chandra Pratap, Adv.
Mr. Amit Kashyap, Adv.
Mr. Ritesh Singh, Adv.
Mr. Ashutosh Thakur, AOR

Ms. Ashmita Bisarya, Adv.
Mr. Nirmal Kumar Ambastha, AOR

Mr. Jay Kishor Singh, AOR
Mrs. Smriti Singh, Adv.
Mr. Dharmendra Kumar, Adv.

UPON hearing the counsel the Court made the following
O R D E R

At the outset, learned counsel for respondent no.4 sought adjournment in the matters.

2. Learned counsel for the petitioner draws the attention of the Court to the counter affidavit dated 04.04.2025, filed by respondent no.2-State of Bihar, which has been affirmed by the Superintendent of Police, Samastipur, Bihar. Special reference is made to paragraph nos.13, 14 and 15 of the counter affidavit filed by the respondent no.2-State.

3. It was contended that the Superintendent of Police of the said district has supported the accused and the impugned order, forgetting that it was an FIR filed by the State, which resulted in conviction after due investigation and prosecution. Having perused the said paragraphs, we are also surprised at the blatant stand in the affidavit filed by the Superintendent of Police of the district in support of the accused.

4. Accordingly, we are constrained to make Mr. Ashok Mishra, who has affirmed the affidavit dated 04.04.2025 filed in the present case and was holding the post of Superintendent of Police, Samastipur, Bihar, to be impleaded as respondent no.3 in all the matters.

5. Let the newly added respondent no.3 be served through the learned counsel for respondent no.2-State. A personal affidavit shall be filed by the newly added respondent no.3, explaining as to under what circumstances, such stand was taken by him in the affidavit in the present case.

6. List on 01.08.2025.

(SAPNA BISHT)
COURT MASTER (SH)

(ANJALI PANWAR)
COURT MASTER (NSH)