

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (Cr.) No. 332 of 2025

Birendra Kumar Tiwari & Another Petitioners

-Versus -

1. The State of Jharkhand

2. Gomti Devi

... .. Respondents

With

W.P. (Cr.) No. 331 of 2025

Hari Mohan Jha @ Hari Mohan & Others Petitioners

-Versus -

The State of Jharkhand

... .. Respondent

CORAM: - HON'BLE MR. JUSTICE AMBUJ NATH

For the Petitioners	: Mr. Indrajit Sinha, Advocate
	: Mr. Akhoury Awinash Kumar, Advocate
	: M/s. Ashwini Priya, Advocate
For the State	: Mrs. Sunita Kumari, A.C to Sr. S.C.-II
	(For W.P. (Cr.) No. 332 of 2025)
	: Mr. J. F. Toppo, G.A.-V
	: Mr. Neil Abhijit Toppo, A.C. to G.A.-V
	(For W.P. (Cr.) No. 331 of 2025)
For the Res. No. 2	: Mr. Ravi Kumar, Advocate

07/09.09.2025

Vide order dated 10.06.2025 in W.P. (Cr.) No. 332 of 2025, a co-ordinate Bench of this Court has passed an interim order, directing the respondents not to proceed with the investigation of B.S. City P.S. Case No. 64/2025 registered under Sections 126(2), 127(2), 115(2), 117(2), 109, 103 & 161(1) of the B.N.S. 2023 pending in the Court of learned J. M. 1st Class, Bokaro and further directed that no coercive steps shall be taken against the petitioners.

2. Gomti Devi, mother of the deceased Prem Prasad, being aggrieved by the aforesaid order, moved the Hon'ble Supreme Court. The Hon'ble Supreme Court has remitted the matter back to this Court with a direction to get the pleadings completed by 10th September, 2025 and endeavor should, however, be made by this Court to decide the writ petition finally preferably by the end of September, 2025.

3. F.I.R. in connection with B.S. City P.S. Case No. 64/2025 was filed by the informant Viru Mahto, father of the deceased Prem Prasad, alleging therein that on 03.04.2025 at about 5:00 P.M., about 1500 persons were peacefully agitating outside the gate of Bokaro Steel Plant. It is alleged

that at the instance of the officials of Bokaro Steel Plant including the petitioners, C.I.S.F. personnel resorted to *lathi charge* due to which son of the informant namely Prem Prasad died.

4. It appears that officials of Bokaro Steel Plant have also filed a counter case, which is B.S. City P.S. Case No. 69/2025, alleging therein that mob had resorted to violence and to protect the property and life of the officials of Bokaro Steel Plant, C.I.S.F. personnel had to resort *lathi charge*.
5. Mr. Indrajit Sinha, learned counsel on behalf of the petitioners submitted that the place where mob had assembled and had resorted to violence was notified as a prohibited area under Official Secret Act and also Bihar Protected Places Act, 1979.
6. There is case and counter case with regard to the same occurrence. Son of the informant namely Prem Prasad died in the said occurrence. It will be in the interest of justice that investigation be carried out and reach its logical end. It will also be in the interest of justice to know the genesis of the occurrence, so that responsibility can be fixed on the guilty persons.
7. Considering the aforesaid facts, order dated 10.06.2025 in W.P. (Cr.) No. 332 of 2025 passed by a co-ordinate Bench of this Court, directing the investigating agency not to proceed with the investigation of B.S. City P.S. Case No. 64/2025 is hereby vacated. The investigating agency will proceed with the investigation in this case.
8. Mr. Indrajit Sinha, learned counsel appearing on behalf of the petitioners at this stage submitted that these writ applications should be disposed of on merit after final hearing. He further prays for one week time for final hearing of these writ applications on merit for quashing of the F.I.R. of B.S. City P.S. Case No. 64/2025.
9. Accordingly, list these writ applications on 18.09.2025.
10. Till then, the petitioners will not be arrested in connection with B.S. City P.S. Case No. 69/2025, pending in the Court of Shri B. C. Samad, learned Judicial Magistrate, 1st Class, Bokaro.

(Ambuj Nath, J.)

Rahul/-