

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.127 of 2015

Arising Out of PS.Case No. -56 Year- 2013 Thana - Hayaghat District- DARBHANGA

1. Nunu Prasad Jha Son of Late Srikant Jha, Resident of Village - Pauram, P.S. - Hayaghat, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Home Department, Govt. of Bihar, Patna.
 2. The Director General Police, Bihar Patna.
 3. The Inspector General of Police, Darbhanga Range, Darbhanga.
 4. The Deputy Inspector General of Police, Darbhanga Range, Darbhanga.
 5. Superintendent of Police Darbhanga, At & PO Darbhanga, District - Darbhanga.
 6. The Station House Officer, Hayaghat Police Station, District - Darbhanga.
 7. Sri Mahadeo Kamat, Sub-Inspector, Hayaghat Police Station being Investigating Officer of Hayaghat, P.S. Case No. 56/2013.
 8. Ajeet Kumar Chaudhary @ Akloo Son of Uday Shankar Chaudhary
 9. Subhash Chaudhary Son of Rajendra Chaudhary
- Respondent No. 8 & 9 are resident of village - Makhanpur, P.S. - Ashok Paper Mill, District - Darbhanga.
10. Nandani Devi Wife of Babloo Jha, Resident of Village - Horalpatti, P.S. - Ashok Paper Mill, District - Darbhanga.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Shambhu Nath Jha, Adv.

For the Respondent/s : Mr. S.K.Sinha, GP-15

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 31-08-2015

Heard learned counsel for the petitioner and learned counsel for the State.

In the present application filed under Articles 226 and 227 of the Constitution of India, the petitioner seeks a direction to be issued to the respondent police authorities to change the Investigating Officer of the case, namely, Sri Mahadeo Kamat, Sub-Inspector,

Hayaghat Police Station from investigating Hayaghat P.S.Case No.56 of 2013 dated 14.05.2013 registered under sections 149, 302 and 201 of the Indian Penal Code.

At the outset, it has been submitted by the learned counsel for the State that the application of the petitioner has become infructuous in view of the fact that after completing the investigation the Investigating Officer of the case has already submitted final report holding the accusation to be false before the court of Judicial Magistrate 1st Class, Darbhanga vide Final Report No. 74 of 2015 dated 31.05.2015.

Regard being had to the facts and circumstances of the case, the application is disposed of as infructuous.

(Ashwani Kumar Singh, J)

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