

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.488 of 2014

Arising Out of PS.Case No. -null Year- null Thana -null District- MADHUBANI

Pramod Yadav @ Pramod Kumar @ Pramod Kumar Yadav S/o Jaivir Yadav,
resident of village- Kewatna, P.S.- Ghoghardiha, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Home, Government of Bihar, Patna
3. The Director General of Police, Bihar, Patna
4. The Inspector General of Police, Darbhanga Range, Darbhanga
5. The Deputy Inspector General of Police, Darbhanga Range, Darbhanga
6. The Superintendent of Police, Madhubani
7. The Deputy Superintendent of Police, Phulparas, District- Madhubani
8. The SHO, Ghoghardiha Police Station, District- Madhubani

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Gangadeo Yadav, Advocate
Mr. Sanjay Kumar, Advocate

For the Respondent/s : Mr. Anil Kumar, A.C. to S.C.-10

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 03-02-2015

The petitioner is a named accused of Ghoghardiha P.S.Case No.27 of 2014 dated 25.3.2014 registered for the offences punishable under sections 364, 384 and 120B of the Indian Penal Code. He has filed the present application under Articles 226 and 227 of the Constitution of India for a direction to the respondents to investigate the case properly so that the petitioner may be exonerated from the false prosecution.

In my view, the application is thoroughly misconceived. To hold investigation into a cognizable case is a statutory right of the

police. The accused of a case has no right to dictate the manner in which investigation of a cognizable offence should be carried out.

In that view of the matter, I find no merit in the present application. Accordingly, it is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

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