

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.549 of 2014

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Kaushal Prasad @ Kaushal Kumar, S/o Late Ramrup Mahto, Resident of village-
Sharpur, P.S.- Harnaut, District- Nalanda

.... Petitioner

Versus

1. The State of Bihar
2. The Chief Secretary, Govt. of Bihar, Patna
3. The Director General of Police, Bihar, Patna
4. The Inspector General of Police, Central Range, Patna
5. The Deputy Inspector General of Police, Central Range, Patna
6. The Superintendent of Police, Nalanda, Bihar Sharif
7. The Sub Divisional Police Officer, Bihar Sharif, Nalanda
8. The Officer-in-Charge, Harnaut Police Station, District Nalanda
9. The Investigating Officer, Harnaut Police Station, District- Nalanda

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
Mr. Satyeshwar Prasad, Advocate
For the Respondent/s : Mr. Yogendra Pd. Sinha, AAG-15
Mr. Rajeev Kumar Sinha, AC to AAG-15

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 05-02-2015

The petitioner is aggrieved by the manner in which investigation of Harnaut P.S. Case No. 152 of 2013 dated 26th July, 2013 registered for the offences punishable under Sections 302 read with 34 of the Indian Penal Code and 27 of the Arms Act is being conducted.

By filing the present application under Articles 226 and 227 of the Constitution of India, a prayer has been made to direct the respondents to hand over investigation of the aforesaid police case to the Criminal Investigation Department in order to find out truth about the allegations made in the FIR.

In my view, the application is misconceived. An accused in a criminal case has no right to choose the investigating agency of his choice.

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

(Ashwani Kumar Singh, J.)

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