

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.674 of 2014

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

1. 1.Anupama Bhushan
2. 2.Pragya Priya @ Dauly (as per FIR)

Both are daughters of Manik Lal Johauri, resident of Johari Kothi, P.S., Town, District-Muzaffarpur, correct parental name and address both are daughters of Late Bhagwan Prasad Poddar, Akharaghat Road, P.S., Town, District- Muzaffarpur

.... Petitioner/s

Versus

- 1.The State of Bihar through Senior Superintendent of Police, Muzaffarpur
2.The Dy. Superintendent of Police Town, Muzaffarpur
3. Kanchan Bhaskar, Sub Inspector, investigating officer, P.S., Town, District-Muzaffarpur
4.The Circle Officer, Mushari, District- Muzaffarpur

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Kailash Nath Diwakar, Advocate

For the Respondent/s : Mr.Manoj Kumar Sinha, A.C. to S.C.-30

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date: 10-03-2015

The petitioners are accused in Muzaffarpur Town P.S. Case No.599 of 2012 dated 1.11.2012 registered for the offences punishable under sections 406, 420, 467 and 468 read with 34 of the Indian Penal Code. The said police case is under investigation.

The instant application under Articles 226 and 227 of the Constitution of India has been filed by the petitioners for issuance of direction to the respondent-authority to verify the documentary evidence which are annexed in the present application.

In my view, the application is thoroughly misconceived. To

hold investigation into a cognizable offence is the statutory right of the police. Neither the accused nor the informant of a criminal case can dictate the manner in which investigation into a cognizable offence should be made by the police.

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

(Ashwani Kumar Singh, J)

Md.S./-

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