

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1045 of 2014

Arising Out of PS.Case No. -62 Year- 2014 Thana –Nagarnausa District- NALANDA (BIHARSHARIFF)

1. Krishna Prasad Son of late Tripit Narayan Singh Resident of Village- Pakadiya Bigha, P.S.- Hilsa, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar, through the Secretary, Home Department, Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Patna Division, Patna.
4. The Deputy Inspector General of Police, Patna Range, Patna.
5. The Superintendent of Police, Nalanda.
6. The Deputy Superintendent of Police, Hilsa, Nalanda.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Respondent/s : Mr. Kundan Bahadur Singh, SC-22

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 02-04-2015

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

On 7th May, 2014 at about 7.00 a.m. one dead body of an unknown person was found lying at a secluded place in village Kharsariya by the local chaukidar Krishna Paswan. On his information given to the S.H.O., Nagarnausa Police Station, Nagarnausa P.S.Case No.62 of 2014 was registered under section 302 of the Indian Penal Code and 27 of the Arms Act against unknown accused. In course of investigation, it transpired that it was the dead body of one Ravi Ranjan, son of the petitioner.

The petitioner has filed this application under Articles 226 and 227 of the Constitution of India for directing the respondents

to conduct fair and impartial investigation of the aforesaid police case. It has been contended that though nine months have elapsed since the date of institution of the F.I.R. but there is no progress in the investigation of the case.

On the other hand, learned counsel for the State has submitted that it is a blind case of murder and in course of investigation the police have apprehended one Nitish Kumar on the basis of proof of circumstances. On conclusion of investigation, a report under section 173(2) of the Code of Criminal Procedure has also been submitted before the Magistrate concerned and the investigation is still continuing in order to find out as to whether any other accused was also involved in the case or not. It has also been contended that the investigation is being conducted with due promptness and sincerity.

Regard being had to the facts and circumstances of the case, I am of the view that at the stage of investigation no further direction is required to be issued by this Court in the present matter. Accordingly, the application is disposed of.

(Ashwani Kumar Singh, J)

Pradeep/-

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