

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.162 of 2015

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1. Sudarshan Prasad Son of Mahesh Prasad, Resident of Village - Reganiya Bagh, P.S. - Naubatpur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director General of Police - cum - Inspector General of Police, Bihar, Patna.
3. The Senior Superintendent of Police, Patna. null null
4. The Rural Superintendent of Police, Patna.
5. The Deputy Superintendent of Police, Fulwari Sharif, Patna.
6. The Officer - in - Charge of Jaubatpur Police Station Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Goutam

For the Respondent/s : Mr. Uma Shankar (Gp-4)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 15-09-2015

By way of filing the present writ petition, the petitioner, who is informant of Naubatpur P.S. Case No. 346 of 2014 registered under Section 302/34 of the Indian Penal Code seeks a direction to be issued to the respondent Nos. 2 to 6 to make appropriate investigation of the case.

It has been contended that though the First Information Report was instituted on 14th July, 2014 in respect of murder of the son of the informant, the police have failed to arrest any of the accused so far. He further submits that the evidence of witnesses who are privy to the offence is deliberately not being recorded by the Investigating Officer of the case.

On the other hand, learned counsel for the State has submitted that investigation of the case is at a crucial stage. There is no truth behind the allegation made by the petitioner. The investigation is being conducted in a fair and impartial manner. He

submits that in course of investigation accusation against two named accused Pappu Kumar and Anisha Devi has been found to be true, but so far as the other two accused Umer Yadav and Bhim Yadav are concerned, till date sufficient materials could not be collected against them.

Be that as it may, to hold investigation into a cognizable offence is the statutory right of the police. However, a sensitive and committed investigating agency is indispensable to the criminal justice system.

Taking into consideration the facts and circumstances of the case, I dispose of the present writ petition with a direction to the Rural Superintendent of Police, Patna to personally supervise the matter in order to ensure an early completion of investigation. He shall ensure submission of a report under Section 173 (2) of the Code of Criminal to the Court without any delay.

With these observations, the application is disposed of.

Let a copy of the order be sent to the Respondent No. 4 through Fax.

(Ashwani Kumar Singh, J)

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