

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.52 of 2015

=====

Anil Prasad Yadav son of Late Bittal Prasad Yadav, Resident of Mohalla - Rikabganj, P.S. Malsalami, Sadar Patna City, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna
 2. The Senior Superintendent of Police, Patna
 3. The Officer-in-Charge, Malsalami, Patna
 4. Shrawan Prasad Yadav S/o Late Rama Nand Yadav
 5. Sudha Devi W/o Shrawan Prasad
 6. Archana Devi D/o Shrawan Pd. Yadav
- 4 to 6 are residents of Mohalla - Nurpur, Mokrama, P.S. Malsalami, Patna City, District - Patna

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Maheshwar Prasad, Advocate
: Mr. Naresh Prasad, Advocate
For the Respondent/s : Mr. S.K.Jha, G.P.-3

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 07-08-2015 In the present application filed under Articles 226 and 227 of the Constitution of India the petitioner seeks a direction to be issued to respondent nos.1 to 3 to arrest private respondent nos. 4 to 6 in Malsalami P.S.Case No.243 of 2014 registered under sections 343, 323, 325 and 307 read with 34 of the Indian Penal Code wherein subsequently section 302 of the Indian Penal Code was also added and to submit chargesheet against the accused persons named in the FIR.

It has been stated by the learned counsel for the State that the relief sought for in the present application does not have

any merit because investigation of Malsalami P.S.Case No. 243 of 2014 is being conducted properly. It is further stated that in course of investigation one of the accused, namely, Sharwan Prasad Yadav (private respondent no.4) was arrested on 18.2.2015 and forwarded to judicial custody whereas the court below has granted an order for taking no coercive step against accused Sudha Devi (respondent no.5). It is further contended regarding involvement of FIR accused Archana Devi that the investigation is in progress.

In view of the fact that investigation is the exclusive domain of the police, in my view no direction for arrest of any accused can be made by the court at this stage.

Accordingly, the application, being devoid of any merit, is disposed of.

(Ashwani Kumar Singh, J)

Md.S./-

U		T	
---	--	---	--