

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.15 of 2015

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

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Vikrant Kumar Son of Nageshwar Mahto resident of Village+P.O-Sansarpur P.S-
Muffasil Khagaria, District-Khagaria, Pin-851204

.... Petitioner

Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Economic Offence Wing Bihar, Patna.
4. The D.I.G of Police, Economic Offence Wing , Patna.
5. The Superintendent of Police, Economic Offence Wing , Patna.
6. Investigating Officer-cum-S.H.O., Kotwali Police Station, Patna
7. Purushottam Singh Son of Ram Ratan Singh Ward No.17, Postmortem Road,
Nawada, Bihar
8. Jitan Rai Son of not known, resident of Sadar Bazar,P.S-Kotwali, District-
Ranchi
9. Dr.Arvind Kumar Son of not known, Resident of Maurya Lok, Patna, P.S-
Kotwali, District-Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Md. N. H. Khan, SC-18

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 24-11-2015

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

2. By way of the present application under Articles 226
and 227 of the Constitution of India, the petitioner seeks a direction

to be issued to the respondents to make proper investigation of Patna Kotwali P. S. Case No. 312 of 2012 registered under Sections 420, and 406 read with 34 of the Indian Penal Code and to apprehend the named accused persons as they are terrorizing the petitioner for dire consequence, if he will pursue the criminal case.

3. Learned counsel for the petitioner has contended that the FIR was instituted on 23rd June, 2012 and till date, investigation is not concluded. He has contended that out of three named accused, only one has surrendered before the Court below and rest two are still at large. He has further contended that the investigating agency is conniving with the accused and in order to protect them the investigation has been kept pending for the last more than three years.

4. On the other hand, learned counsel for the State has contended that the investigation of the case is being done in a fair and impartial manner. The investigating agency would conclude investigation of the case without any undue delay.

5. Be that as it may, regard being had to the nature of the offence, I am not inclined to pass any order on the merits of the case as the investigation of the case is going on. However, the investigating agency cannot sit tight over the matter after registration of a cognizable offence for an indefinite period.

6. In that view of the matter, I direct the Superintendent of Police, Patna to personally look into the matter and ensure that the investigation of the case is concluded within a reasonable period of time, preferably within a period of four months from the date of receipt/production of a copy of this order.

7. With the aforesaid observation and direction, the application is disposed of.

8. The Registry is directed to send a copy of this order to the Superintendent of Police, Patna through Fax.

(Ashwani Kumar Singh, J.)

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