

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1132 of 2013

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1. Manti Devi W/O Late Satya Narayan Yadav, Resident of Village-
Manikpur, P.S. and Distt.- Madhepura
2. Keshav Kumar son of Kharkan Yadav
3. Kharkan Yadav son of Raghunandan Yadav
4. Megho Yadav son of Kharkan Yadav
Respondent nos. 2 to 4 are resident of village- Parsahi, P.S.- Ghailar,
Dist.- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar through Director General of Police, Govt. of Bihar,
Patna
2. Dy. Inspector General of Police, Kosi Region, Saharsa
3. Superintendent of Police, Madhepura
4. Mahendra Yadav son of Late Anup Lal Yadav, Resident of Village-
Manikpur, P.S. and Distt.- Madhepura

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad, Advocate
For the Respondent/s : Mr. Krishna Kumar, A.C. to G.P.-26

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 08-01-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners have been made accused in Madhepura
P.S. Case No.42 of 2010 registered for the offences punishable
under sections 363, 364 read with 34, 307 and 302 of the Indian
Penal Code. They are named in the FIR.

The prayer, in the instant writ petition filed under
Articles 226 and 227 of the Constitution of India, in paragraph-1 is
as under.:-

“1. That this is an application for giving a

direction to the respondents authorities to submit final form of Madhepura P.S. Case No.42 of 2010 in view of report-5 submitted by S.P. Madhepura after investigation and affirmed by D.I.G. Saharsa and further direct the respondent to submit charge sheet against the accused persons who has been shown as real culprits after investigation by the police.”

In my view, the writ petition is thoroughly misconceived. The accused of a case has no right to have an investigation of a case done in a particular manner. At the stage of investigation, the court has no role to play. It is for the police to investigate the matter and submit a report to the court on the basis of materials collected in course of investigation.

In that view of the matter, I find no merit in the present writ petition. Accordingly, it is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

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