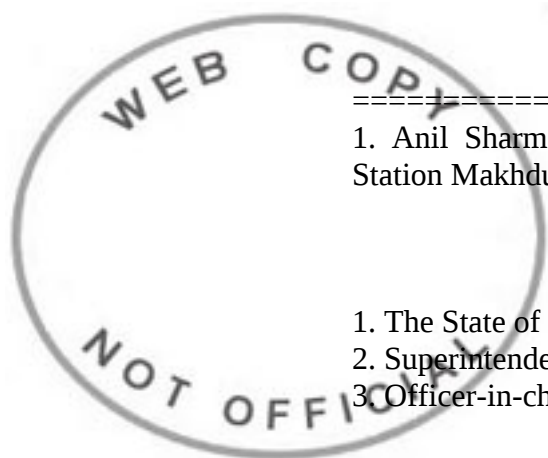




IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.342 of 2014

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

1. Anil Sharma S/o Late Devnandan Singh Resident of Village Berthu, Police Station Makhdumpur and District Jehanabad.

.... Petitioner/s

Versus

- 1. The State of Bihar through the Superintendent of Police, Jehanabad.
- 2. Superintendent of Police, Jehanabad.
- 3. Officer-in-charge, Police Station Jehanabad, District Jehanabad.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar
For the Respondent/s : Mr.Ranjay Kumar Singh,AC to SC16

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date: 28-01-2015

The petitioner is the informant of Jehanabad P.S. Case No. 422 of 2013 registered for the offences punishable under sections 420, 406 and 120(B) of the Indian Penal Code.

By filing the present application under Articles 226 and 227 of the Constitution of India, a prayer has been made to direct the respondents to investigate the case in the light of certain developments, which took place in course of investigation, and to take all coercive steps against the F.I.R. named accused persons and others involved in the case.

The learned counsel for the petitioner has submitted that during the pendency of investigation, the petitioner had sought for certain information under the Right To Information Act. After getting those information relating to the allegations made in the F.I.R.,the petitioner had filed a representation before the Superintendent of Police, Jehanabad on 13th March, 2014. The learned counsel

for the petitioner has submitted that in the said representation the petitioner has highlighted the gross misconduct on the part of certain officials of the Bank, but no steps are being taken in this regard.

On the other hand, the learned counsel for the State has submitted that the allegations made in the present application are not correct. He has further submitted that the investigation of the case is being conducted in a fair and impartial manner and appropriate action in accordance with law will be taken against any person involved in the crime. He has further submitted that one of the accused named in the F.I.R. has already been apprehended.

Be that as it may, in my view, to hold investigation of a criminal case is the statutory right of the police. At this stage, neither the accused nor the informant has got any right to dictate the terms or manner in which an investigation ought to be carried out. It is well-settled that at the stage of investigation, the Court has no role to play. However, while saying so, I am also of the view that proper, fair, impartial, committed and sensitive investigation is the need of the hour. Since the matter is under investigation, I say no more.

Accordingly, the application is disposed of.

(Ashwani Kumar Singh, J)

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