

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.702 of 2014

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1. Md. Rafi Alam Son of Late Abdul Aziz Resident of Mohalla-Rambhadra, Ward No. 13, P.O.- Hajipur, P.S.- Hajipur Town, District-Vaishali at Hajipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar Patna
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Tirhut Range, Muzaffarpur.
4. The Deputy Inspector General of Police, Tirhut Division, Muzaffarpur.
5. The Superintendent of Police, Vaishali at Hajipur.
6. The Deputy Superintendent of Police, Hajipur Sadar District- Vaishali at Hajipur.
7. The Station of Head Officer, Hajipur Town Police - Station, District-Vaishali at Hajipur.
8. The Investigating Officer of Hajipur Town P.S. Case No. 676 of 2013 Hajipur Town Police Station, District- Vaishali at Hajipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar

For the Respondent/s : Mr. Sc29- Rajiv Ranjan Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 16-02-2015

The petitioner, who is informant of Hajipur Town

P.S.Case No.676 of 2013, has made three prayers in the present application filed under Articles 226 and 227 of the Constitution of India. They are;

(1) To direct the respondent authorities to conduct proper investigation of Hajipur Town P.S.Case No.676 of 2013 registered for the offences punishable under sections 341, 323, 324 and 448 read with 34 of the Indian Penal Code;

(2) To direct the respondent authorities to arrest the accused persons of the aforesaid police case; and

(3) To direct respondent nos.2 to 5 to take suitable

departmental action against respondent nos. 6, 7 and 8 for dereliction of duty since respondent nos.6, 7 and 8 in connivance with the accused persons did not take any step for their arrest.

Admittedly, there is a case and counter case. It would appear from the counter affidavit filed on behalf of the State that both the cases were investigated upon by the police and on conclusion of investigation the police have submitted respective reports under section 173(2) of the Code of Criminal Procedure in both the cases. The matter is pending before the Magistrate for appropriate orders in accordance with law.

Learned counsel for the State has submitted that the investigation of both the cases has been done in a fair and impartial manner and there is nothing on record on the basis of which it can be said that respondent nos.6, 7 or 8 failed to discharge their duty.

Having regard to the facts and circumstances of the case, I find no merit in the present application. Accordingly, the writ petition is dismissed.

(Ashwani Kumar Singh, J)

Pradeep/-

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