

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.811 of 2014

Arising Out of PS.Case No. -null Year- null Thana -null District- EASTCHAMPARAN (MOTIHARI)

Satish Kumar, S/o Gautam Singh, R/o village-Maldihiya, P.S.-Paharpur, Dist.-East
Champaran. Petitioner

Versus

1. The State of Bihar
 2. Superintendent of Police East Champaran at Motihari.
 3. Officer Incharge Paharpur Police Station, Dist.-East Champaran.
 4. Investigation Officer Paharpur Police Station, District-East Champaran.
 5. D.I.G. Champaran Range at Bettiah.
 6. I.G. Muzaffapur at Muzaffarpur.
 7. D.G.P. Bihar, at Patna.
 8. The C.M.O. Motihari at Motihari.
 9. The Medical Officer or Incharge Paharpur Primary Health Centre.
 10. Dy. S.P. Arearaj Sub Division at Arearaj, Dist.-East Champaran.
- Respondents

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar No. 2, Advocate

For the Respondent/s : Mr. Amiya Kunal, AC to AAG-X.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 13-03-2015

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

The petitioner is one of the accused named in the FIR in
Paharpur P.S. Case No. 235 of 2013 dated 4.10.2013 registered
under Sections 341, 323, 324, 307, 379 and 504 read with 34 of the

Indian Penal Code.

It has been contended that the petitioner is absolutely innocent in the matter and he is being harassed illegally by the local police.

By filing this application under Articles 226 of the Constitution of India, he has sought for a direction from this Court to the effect that the aforesaid police case be handed over for investigation either to the CBI or C.I.D.

In my view, the application is misconceived. To hold investigation into a cognizable offence is that statutory right of a police. There is nothing exceptional in this case for which the matter is required to be investigated by an agency other than the local police. It is well settled that an accused in a criminal case has no right to choose the investigating agency of his choice.

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

(Ashwani Kumar Singh, J.)

Sanjeet/-

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