

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.48 of 2015

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1. Prabhunath Singh Son of Late Punyadeo Singh Resident of Village - Ramgarhwa, P.S- Pipra, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Muzaffarpur Zone, Muzaffarpur.
4. The Deputy Inspector General of Police, Muzaffarpur, Muzaffarpur.
5. The Superintendent of Police, Muzaffarpur
6. The Sub Divisional Police Officer, West Muzaffarpur.
7. The Officer-in-Charge, Shebganj Police Station , District - Muzaffarpur.
8. Bishambhar Singh Son of Late Dadan Singh
9. Laljhari Devi Wife of Bishambhar Singh
10. Randhir Kumar Singh @ Ramshree Son of Bishambhar Singh All resident of village - and P.O- Himmatpatti, P.S- Sahebganj, Distric - Muzaffarpur.
11. Prabhunarayan Singh Son of Kailash Singh Resident of Village and P.O- Parshurampur Tola Narauni, P.S- Piprakothi, District - East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kuar

For the Respondent/s : Mr. Kumar Alok (Sc-8)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 25-08-2015

By way of filing the present application under

Articles 226 and 227 of the Constitution of India, the petitioner seeks a direction to be issued to the official respondents for proper investigation of Sahebganj P.S. Case No. 207 of 2014 registered under section 302, 307/34 of the Indian Penal Code. The petitioner has further prayed for a direction to be issued to the Investigating Agency to arrest respondent nos. 8 to 11 as they are

named in the first information report.

It is contended that though the alleged occurrence took place on 27.07.2014, the Investigating Agency is not taking proper step to arrest the accused persons.

On the other hand learned counsel for the State has submitted that there is no truth behind the allegation made by the petitioner of the present case. The matter is under investigation and one of the accused namely Suman Devi wife of Randhir Singh is on bail by the court and the Investigating Officer has already submitted charge sheet against her. Another accused namely Randhir Singh has been arrested in another case and steps have been taken by the police to take him on remand in the present case. The investigation as against the other accused persons is also in progress and the Investigating Agency would make all efforts to complete the investigation as early as possible.

It is well settled that an investigation in case of cognizable offence is the statutory right of the police. At this stage the court has no role to play. Once a first information report is instituted it is for the police to find out who the offenders are. It would not be appropriate for this court to issue any direction at this stage to arrest any accused named in the first information report.

In that view of the matter, the application is disposed of. However, it is expected that the Investigating Agency would take all possible steps to complete the investigation as early as possible and submit its report before the court so that justice may be done in the case at hand.

(Ashwani Kumar Singh, J)

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