

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.862 of 2015

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1. Md. Azahar S/o Mustafa Maulvi Saheb Resident of Village Belahiya, P.S. Sursand, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar tThrough the Principal Secretary, State of Bihar, Patna.
2. The D.G.P., State of Bihar, Patna.
3. The I.G., Tirhut Division, Patna.
4. The S.P., Sitamarhi.
5. The S.H.O., Sursand P.S., Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Respondent/s : Mr. P.Sarthi (Ga Xi)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 11-09-2015 Heard learned counsel for the petitioner and learned counsel for the State.

In the present application filed under Articles 226 and 227 of the Constitution of India, the petitioner seeks quashing of the First Information Report of Sursand P.S. Case No. 163 of 2014 registered under Sections 376, 313, 315 read with 34 of the Indian Penal Code.

The allegations made in the First Information Report do attract ingredients of the offence alleged.

In that view of the matter, I find no merit in the application. Accordingly, the application is dismissed.

However, taking into consideration, the fact that the investigation of the case is pending for over one year, the Superintendent of Police, Sitamarhi, is directed to personally look into the matter and ensure an early completion of investigation of the case as investigation of the cognizable offence cannot be kept pending for an indefinite period.

Registry is directed to communicate the copy of the order to the Superintendent of Police, Sitamarhi through Fax.

(Ashwani Kumar Singh, J)

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