

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.900 of 2013

Arising Out of PS.Case No. -119 Year- 2013 Thana -Sonepur District- SARAN

=====

1. Rajiv Nayanam Singh Son Of Late Bharat Bhushan Singh Resident Of At
Chiriya Bazar, P.S.- Sonpur, District- Saran

.... Petitioner/s

Versus

1. The State Of Bihar
2. Director General Of Police, Bihar, Old Secretriare, Patna
3. Dy. Inspector General Of Police, Saran At Chapra Bihar
4. Superintendent Of Police, Sarat At Chapra Bihar
5. Dy. Inspector Of Police, Sonpur, Saran Chapra
6. Station House Officer (Officer-In-Charge), Sonepur Police Station Saran, Bihar

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Adv.

For the Respondent/s : Mr. Kamlesh Kumar Sharma, A.C. to SC-22

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 26-11-2015

The petitioner is the informant of Sonepur P.S.Case No.
119 of 2013 dated 03.04.2013 registered under Sections 147, 148, 149,
341, 323, 448, 307 of the Indian Penal Code and Section 27 of the
Arms Act.

In the instant writ application, the petitioner seeks a
direction to be issued to the respondents to arrest the accused persons
named in the FIR in connection with the aforesaid police case.

It has been contended that the investigation of the case is
not being conducted in a fair and impartial manner. The Investigating
Officer of the case is in collusion with the accused persons named in
the FIR, as a result of which no action is being taken against them.

Per contra, learned counsel for the State has submitted

that the writ petition has been filed with ulterior motive to tarnish the reputation of the respondents. After institution of the FIR, the Investigating Officer of the case has investigated the case in a proper direction and the supervising authorities have supervised the case and they are keeping close watch on the investigation of the case. Several attempts were made by the Investigating Officer to arrest the accused persons, who are evading arrest. The Investigating Officer of the case has sought for issuance of processes against the accused persons named in the FIR under Section 83 of the Code of Criminal Procedure from the jurisdictional Magistrate.

Be that as it may, to hold investigation into a cognizable offence is the domain of the Police. At this stage, the Court has no role to play. There is nothing on record on the basis of which it can be said that the investigation is not being carried out in a fair and impartial manner.

In that view of the matter, I am not inclined to entertain the present writ application. In case, the petitioner has any grievance, he may approach the jurisdictional Magistrate for the redressal of the same.

The application is accordingly disposed of.

(Ashwani Kumar Singh, J)

Pradeep/-

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