

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.491 of 2014

Arising Out of PS.Case No. -null Year- null Thana -null District- VAISHALI(HAJIPUR)

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Ram Pari Devi wife of Hari Narayan Bhagat, resident of village- Kanhauli Ajarkawe, P.O.-Ramana, P.S.-Mithanpura, District- Muzaffarpur at present Jadhu, P.S.-Hajipur (Town), District- Vaishali at Hajipur.

.... Petitioner/s

Versus

- 1.The State of Bihar through the D.G.P., Bihar, Patna
- 2.Arbind Kumar, Sub Inspector of Police, Hajipur town, P.S. and District- Vaishali at Hajipur
- 3.Sanjay Chaudhary son of late Dip Lal Chaudhary, resident of village-Jadhua, Pokhra, P.S.-Hajipur Town, District- Vaishali at Hajipur
- 4.Sangeeta Devi wife of Sanjay Chaudhary, resident of village-Jadhua, Pokhra, P.S.-Hajipur Town, District- Vaishali at Hajipur
- 5.Krishna Rai son of late Harideyal Rai, resident of village-Jadhua, P.S.-Hajipur Town, District- Vaishali at Hajipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate

For the Respondent/s : Mr. A.C. to G.P.-8

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 04-02-2015

The petitioner is mother of one Ajeet Kumar, who is suspected to be involved in Hajipur Town P.S. Case No.253 of 2014 registered for the offences punishable under sections 302, 324 and 120B of the Indian Penal Code. The aforesaid case was registered against unknown. In course of investigation some of the accused persons were apprehended and on interrogation they disclosed that the aforesaid Ajeet Kumar was also involved in the alleged occurrence of murder.

In the present application filed under Articles 226 and 227

of the Constitution of India, the petitioner has prayed to issue a direction to the respondent-police officials not to implicate the petitioner's son in the aforesaid case merely on the basis of confessional statement of some of the accused persons.

In my view, the application is thoroughly misconceived. To hold investigation into a cognizable offence is the statutory right of the police. At the stage of investigation, the Court has no role to play.

The application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

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