

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.503 of 2014

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

Anita Devi wife of Manoj Singh, resident of Mohalla- Kanhauli-Ajarkawa, P.O.-
Ramana, P.S.-Mithanpura, District- Muzaffarpur at present village- Jadhua, P.S.-
Hajipur Town, District- Vaishali at Hajipur

.... Petitioner/s

Versus

- 1.The State of Bihar through Superintendent of Police, Vaishali at Hajipur
- 2.Arbind Kumar, Sub Inspector of Police, Hajipur Town, 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.Sangita Devi wife of Sanjay Chaudhary, resident of village-Jadhua Pokhra, P.S.-Hajipur Town, District-Vaishali at Hajipur
- 5.Krishna Rai son of late Haridayal Rai, resident of village-Jadhua P.S.-Hajipur Town, District- Vaishali at Hajipur.

.... Respondent/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 04-02-2015

The husband of the petitioner 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 husband of the petitioner 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 husband of the petitioner 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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