

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.264 of 2014

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Ravi Shankar son of Late Sri Narayan Singh, Resident pf Mohalla + P.O.-
Rajendra Nagar, Road No.- 11F, Flat No. 41/E, P.S.- Kadamkuan, District-
Patna- 800016

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Home, Govt. of Bihar, Patna
2. The Senior Superintendent of Police, Patna
3. The Officer-in-Charge of Kadamkuan Police Station, Patna
4. Jyoti Kumari D/O Suryadeo Singh, Resident of Village- Kharaouna, P.S.- Bhagwanganj, District- Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ Manu, Advocate
For the Respondent/s : Mr. Ajay (G.A.-12)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 22-01-2015 By filing the present application under Articles 226 and 227 of the Constitution of India, the petitioner has prayed for issuance of mandamus to the respondents to arrest the accused persons of Kadamkuan P.S. Case No.337 of 2013 registered on 4th September, 2013 for the offences punishable under sections 337 and 497 of the Indian Penal Code. The petitioner had filed the aforesaid police case against his wife and one another.

In my view, the application is thoroughly misconceived. To hold investigation in a criminal case is the statutory duty of the police. However, the police are not expected to act mechanically in all the matters and arrest the accused immediately after an FIR

is registered. The police may defer arrest of an accused named in the FIR due to the circumstances unfurled in course of investigation.

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

(Ashwani Kumar Singh, J)

Md.S./-

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