

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.84 of 2013

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Shiv Kumar, S/o Late Ganesh Prasad Singh, resident of 76, M.I.G.
Hanuman Nagar, Kankarbagh, P.S. Patrakar Nagar, District - Patna
..... Petitioner

Versus

1. The State of Bihar through C.B.I.
 2. D.I.G., C.B.I. Bihar PatnaRespondent Ist Set
 3. The Senior Superintendent of Police, Patna
 4. The City Superintendent of Police, Patna
 5. The Dy. S.P. Patna Sadar, Patna
 6. Officer Incharge, Patrakar Nagar, Police Station, District –
Patna.....Respondents IInd Set
 7. Karvy Stock Broking Pvt. Ltd. B-2-309 K, Avenue-4, Street No.1
Banjara Hills, Hyderabad - 500034
 8. Reymount Securities Pvt. Ltd., G.K.S. Tower, 5th Floor, A-Wing, 935,
Pramali High School Road, Kilpank, Chennai
600084.....Respondent IIIrd Set
 9. Ishan Kumar, son of Late Dhananjay Kumar Dutt
 10. Smt. Kusum Parwa, wife of Late Dhanajay Kumar Dutta
Both residents of B/10, Nutan Apartment, Kankarbagh, P.S. Kankarbagh,
District - Patna
 11. Ankit Gautam, son of Devkinandan, resident of Flat No.459, L.I.G.
Hanuman Nagar, P.S. Patrakar Nagar, District - Patna
 12. Guddu, son of not known to the petitioner, Resident of B/10, Nutan
Apartment, Kankarbagh, P.S. Kankarbagh, District - Patna
..... Respondents
- =====

Appearance :

For the Petitioner : Mr. Raj Kishore Prasad Singh, Advocate
For the Respondents : Mr. Devendra Kr Sinha, AAG2
Mr. Pramod Kumar, AC to AAG 2

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

12 10-04-2015 Heard learned counsel for the petitioner as well as
learned counsel for the State.

2. This writ petition has been filed with a prayer for
a direction to the respondent-authorities to hand over the charge of
Patrikar Nagar P.S. Case No.247 of 2009 registered for the
offences punishable under Sections 406, 420, 467, 471, 504, 506

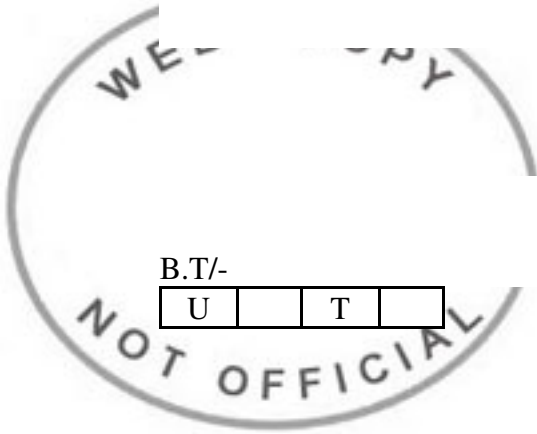
and 120-B of the Indian Penal Code against the private respondents for proper investigation and necessary action.

3. A supplementary counter affidavit has been filed on behalf of respondent nos.3, 4 and 5 stating, inter alia, that during further investigation of Patrakar Nagar P.S. Case No.247 of 2009, the case has been found true under the relevant provisions of the Indian Penal Code against the FIR named accused, namely, Kusum Prabha and Eshan Kumar Dutta. The investigation has now been concluded on all the points and charge sheet No.32 of 2015 dated 31.03.2015 has since been submitted.

4. In view of the aforesaid statement made in the counter affidavit which has not been refuted by the petitioner, it is clear that the matter has now advanced beyond the stage of investigation which has now concluded and culminated in a charge sheet submitted against the accused persons. The matter is pending before the learned court below which will take into consideration not only the FIR but also the statements of the witnesses as may have been collected in course of investigation, before passing appropriate orders.

5. This Court is, accordingly, not inclined to entertain the writ petition at this belated stage in view of the subsequent developments as stated above. Without entering into

the merits of the matter, therefore, the writ petition stands dismissed.



(Vikash Jain, J)

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