

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.178 of 2013

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Sahabuddin Ansari son of Jafar Ansari, resident of village- Dhangua, P.O- Ghordiha, P.S- Kargahar, District- Rohtas at Sasaram

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna.
3. The District Magistrate, Rohtas at Sasaram.
4. Sr. Superintendent of Police, Rohtas at Sasaram
5. The Superintendent of Police, Rohtas at Sasaram.
6. The Deputy Superintendent of Police, Rohtas at Sasaram.
7. The Officer-in-Charge of Kharari Bazar Police Station, District- Rohtas at Sasaram.
8. Dr. P.B.K. Sahay, resident of Krishna Niwas, New Jatanpur, Patna
9. Vinod Sah son of Late Narayan Sah, resident of village- Ghagua, P.S.- Kargahar, District- Rohtas

.... Respondent/s

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Appearance :

For the Petitioner/s : Ms.Fauzia Shakil, Advocate

For the Respondent/s : Mr. Sanjay Kumar Ojha, AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

14 24-11-2015 By way of the present application under Articles 226 and 227 of the Constitution of India the petitioner, who is informant of Kargahar P.S. Case No.132 of 2012, seeks a direction to be issued to the respondents to change the investigating officer of the case.

The contention of the petitioner is that the investigation of the case is not being done in an independent, fair and impartial manner.

A counter affidavit has been filed on behalf of the State in which it has been stated that during pendency of the application

before this Court, on completion of investigation, final form has already been submitted in the court of the jurisdictional Magistrate.

In that view of the matter, the application has become infructuous. Since the investigating agency has already submitted its report, it is for the Magistrate concerned to apply his mind to the facts of the case and pass appropriate orders in accordance with law after affording an opportunity of hearing to the informant of the case.

Accordingly, the application is disposed of as infructuous.

The petitioner may appear before the Magistrate and raise all the points available to him before the Court.

(Ashwani Kumar Singh, J)

Md.S./-

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