

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.886 of 2014

Arising Out of PS.Case No. -207 Year- 2014 Thana -Kankarbagh District- PATNA

1. Prafulla Kumar Son of Late Tetar Mandal resident of Baltara, P.O.- Fulwaria, P.S.- Gogari, District- Khagaria, at Present Working as Director, M/S Rider Group of Companies and Trust, 206, Devendra Lok Apartment, Road No.-02, P.S.- Kankarbagh, Patna-20

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Home Department Patna, Bihar
2. Senior Superintendent of Police, Patna
3. Officer In Charge, Kankarbagh Police Station, Patna
4. Achaya Lal, Sub -Inspector (Investigating Officer), Kankarbagh, Police Station, Patna
5. Pallavee Kumari Director M/S Rider Group of Companies, 206, devendra Lok Apartment, Road No.-02, P.S.- Kankarbagh, Patna-20

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy-1, Adv.
Mr. Anil Kumar Sharma, Adv.
Mrs. Usha Kumari Singh, Adv.

For the Respondent/s : Mr. Purnendu Singh, GP-27
Mrs. Sunita Kumar, A.C. to GP-27

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 27-03-2015

The petitioner filed a complaint case vide Complaint Case No.26457(c) of 2014 before the court of learned Chief Judicial Magistrate, Patna and the learned Chief Judicial Magistrate forwarded the complaint under section 156(3) of the Code of Criminal Procedure for investigation to Kankarbagh Police Station pursuant to which Kankarbagh P.S.Case No.207 of 2014 was registered under sections 406, 420, 467, 468, 471 and 380 of the Indian Penal Code.

Being aggrieved by the manner of investigation, this

application under Articles 226 and 227 of the Constitution of India has been filed for directing Senior Superintendent of Police, Patna to take necessary steps so that investigation of the aforesaid Kankarbagh P.S.Case No.207 of 2014 be conducted properly.

A counter affidavit has been filed on behalf of the State in which it has categorically been stated that the police have already concluded the investigation in the aforesaid case and finding the case to be false, Final Form No.06/15 dated 17th January, 2015 has already been filed before the court.

In that view of the matter, in my considered opinion, this application has become infructuous. In case the petitioner has any grievance against the final form submitted by the police, he has to raise his objection before the Magistrate concerned and not before this Court.

Accordingly, the application is dismissed as infructuous.

(Ashwani Kumar Singh, J)

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