

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1105 of 2014

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1. Kameshwar Das s/o Late Laxmi Das R/o Kaushalpur Korasi, P.O. Parsando, P.S. Haveli Kharagpur, District - Munger

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary Home (Police) Department Bihar Patna
2. Director of Prosecution, Patna, Bihar
3. Director General of Police, Bihar, Patna
4. Deputy Inspector General of Police, Munger Range, Munger
5. Superintendent of Police, Jamui
6. Deputy Superintendent of Police, Jamui
7. The Officer in Charge, Barhat Police Station, Jamui
8. The Officer in Charge, Kharagpur Police Station, Munger
9. R.K. Verma (Ram Kumar Verma) Investigating officer, Barhat Police Station, Jamui at present Tetulmari Town P.S. and District – Dhanbad (Jharkhand)
10. Superintendent of Police, Munger
11. Deputy Superintendent of Police, Munger
12. The Officer in charge, Kharagpur Police Station, Munger

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Kumar Gupta, Advocate

For the Respondent/s : Mr. Pramod Kumar, AC to SC 32

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-04-2015 Heard learned counsel for the petitioner and learned Assistant Counsel to Standing Counsel 32.

2. The present petition has been filed for a direction to the respondent authorities for production of the Investigating Officer, Sri Ram Kumar Verma, (Respondent no. 9) in Sessions Trial No. 6 of 2007, arising out of Barhat (Malaypur) P.S. Case No. 65 of 2003 for further cross examination of the case.

3. It is submitted that even earlier Cr.W.J.C. No. 29 of 2012 had been filed for the said relief, but in view of the assurance and undertaking in the counter affidavit dated 10.01.2013 the said writ petition was dismissed as infructuous. It is stated that the said Sri Ram Kumar Verma (Respondent no. 9) was examined on 07.06.2013 and partly cross examined, thereafter he has not appeared for his further cross examination.

4. This Court is unable to accept the prayer of the petitioner. In case, however, the petitioner is of the view that the assurance and undertaking contained in the counter affidavit filed on behalf of the respondent authorities in Cr.W.J.C. No. 29 of 2012 has been violated, he shall be at liberty to approach this Court in its contempt jurisdiction.

5. The writ petition stands dismissed.

(Vikash Jain, J)

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