

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1091 of 2013

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Panna Kuwar wife of Late Rameshwar Ram, resident of village-
Chamanpura, P.S.- Baikunthpur, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Director General of Police, Bihar, Patna
3. The Superintendent of Police, Gopalganj
4. The Sub-Divisional Police Officer, Gopalganj
5. The Officer-in-charge of Baikunthpur Police Station- District- Gopalganj

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ganjendra Kumar Singh, Advocate

: Mr. Satendra Kumar Singh, Advocate

For the Respondent/s : Mr. Asit Kumar Jha, A.C. to G.P.-6

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 09-02-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is informant of Baikunthpur P.S. Case
No.92 of 2012 registered for the offences punishable under section
364 read with 34 of the Indian Penal Code as well as section
3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention
of Atrocities) Act, 1989.

The grievance of the petitioner is that the police are
not investigating the case properly. Though more than two years
have elapsed but till date investigation is not complete. Out of four
named accused persons only two could be apprehended by the
police till date.

On the other hand, learned counsel for the State has

submitted that effective steps are being taken by the investigating agency in the matter. The investigation is being done in a fair and impartial manner and the police would complete the investigation of the case expeditiously.

Be that as it may, to hold investigation into a cognizable offence is the statutory right of the police. At this stage, the Court has no role to play. However, a committed and sensitive investigating agency is indispensable to the criminal justice system. The investigating agency is not expected to sit tight over the matter for an indefinite period after institution of the FIR. Since the case is under investigation, I say no more.

However, the Superintendent of Police, Gopalganj is directed to personally look into the matter and ensure that investigation of the case is concluded and police report under section 173(4) of the Code of Criminal Procedure is filed before the court of Magistrate as early as possible.

With these observations, the application is disposed of.

(Ashwani Kumar Singh, J)

Md.S./-

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