

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.884 of 2016

- =====
1. Vijay Yadav, Son of Late Jai Lal Yadav resident of Village- Bathani Tola, Dharam Bigha, Police Station- Nimchak Bathani in the district of Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Director General and Inspector General of Police, Govt. of Bihar, Patna.
2. The Director General and Inspector General of Police, Govt. of Bihar, Patna.
3. The Inspector General of Police, Patna.
4. The Deputy Inspector General of Police, Magadh Range, Gaya.
5. The Superintendent of Police, Gaya.
6. The Deputy Superintendent of Police, Gaya.
7. The Officer-in-Charge, Nimchak Bathani P.S. in the district of Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.
For the Respondent/s : Mr. Partha Sarthy (GA- 4)
Mr. Apurva Kumar, AC to GA-4.

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 27-09-2016 Heard Mr. Sunil Kumar, learned Counsel, appearing on behalf of the petitioner, and Mr. Partha Sarthy, learned Government Advocate No.4, appearing on behalf of the State-respondents.

With regard to the grievance of the petitioner that the investigation of Nimchak Bathani P.S. Case No.21 of 2013 has not been completed till date, it needs to be noted that, upon completion of investigation, charge sheet was submitted, on 28.05. 2013, against accused Kunti Devi, Pankaj Yadav and Raju Kumar, under Sections/302/120B of the Indian Penal

Code, keeping investigation continued against remaining accused Ranjeet Yadav and others. All the relevant witnesses, according to the State-respondents, have already been examined. There is, in fact, no concrete allegation of non-examination of any of the material witnesses. This apart, the plea of accused Ranjeet Yadav of *alibi* has been found to be true by the police. The only accused, who remains to be arrested is accused Vivek Yadav and as far as the remaining accused, named in the First Information Report, is concerned, they have all been arrested.

In view of what have been indicated above, this Court does not find that the investigation into the case aforementioned has not been conducted properly. The writ petition is, therefore, closed with a direction to the Superintendent of Police, Gaya, to take such steps as may be necessary to apprehend accused Vivek Yadav.

With the aforesaid observations and directions, this writ petition is disposed of.

(I.A. Ansari, CJ)

K.C.jha/-

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