

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.830 of 2016

Arising Out of PS.Case No. -325 Year- 2015 Thana -Bihiya District- BHOJPUR

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Deepak Kumar Singh, S/o Late Sudama Singh, R/v - Anar, P.S. Bihiya, Distt. - Bhojpur, Ara

.... Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Govt. of Bihar, Patna
2. The Superintendent of Police, Bhojpur, Ara
3. The Deputy Superintendent of Police, Jagdishpur, Bhojpur, Ara
4. The Officer in Charge of Bihiya Police Station, Bhojpur, Ara

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s : Mr. Md. Nadim Seraj, G.P. 5.

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

ORAL JUDGMENT

Date: 23-09-2016

None has put in appearance on behalf of the petitioner.

2. Father of the petitioner lodged a complaint on the basis of which Bihiya P.S. Case No. 325/15 for the offences under Sections 341, 326, 329, 307, 34 of the Indian Penal Code was registered. After the death of Sudama Singh, the complainant, on 23rd of November, 2015, the offence under Section 302 of the Indian Penal Code was also added. However, the police completed investigation and submitted charge-sheet on 27th of July, 2016.

3. The grievance of the petitioner as son of the deceased is that police has filed charge-sheet for an offence under Section 306 of the Indian Penal Code only against Kamakhya Singh

but not against sons and brother of the said accused.

4. Once the police have completed investigation and submitted charge-sheet, the matter falls within the exclusive domain of the learned trial court. Any grievance in respect of excluding certain persons from the arena of the accused lies within the jurisdiction of the trial court. It is open to the petitioner to file an appropriate application at appropriate stage of the trial before the trial court for inclusion of additional persons to face trial. As and when any such application is filed, the same shall be considered in accordance with law.

5. With the aforesaid observation, the writ application stands dismissed.

(Hemant Gupta, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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