

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.925 of 2015

Arising Out of PS.Case No. -null Year- null Thana -null District- DARBHANGA

Raj Kumar Mahto son of Chhatu Mahto, resident of village - Pali, P.S.-
Ghanshyampur, District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar
2. D.G.P.G., Bihar, Patna
3. D.I.G. Darbhanga Range, Darbhanga
4. The Superintendent of Police, Darbhanga
5. Dy. S.P. Biraul, District - Darbhanga
6. S.H.O. Ghanshyampur, Darbhanga
7. G.N. Tripathi, Investigation Officer, Ghanshyampur, Darbhanga
8. Phulo Devi wife of Lal Bihari Mahto, resident of village-Pali, P.S.-
Ghanshyampur, District - Darbhanga

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Respondent/s : Mr. S.K.Mandal, SC-24

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 19-02-2016

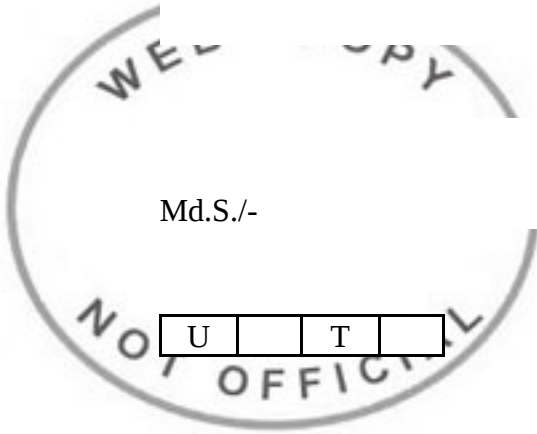
By way of the present application preferred under Articles 226 and 227 of the Constitution of India, the petitioner seeks a direction to be issued to the respondents to change the investigating officer in Ghanshyampur P.S. Case No.132 of 2015.

2. The contention of the petitioner is that the investigating officer is not conducting fair and impartial investigation.

3. In my opinion, the application is thoroughly misconceived. To hold investigation into a cognizable offence is the statutory right of the police. Neither the accused nor the informant has

a right to choose investigating officer or investigating agency.

4. The application, being devoid of any merit, is dismissed.



(Ashwani Kumar Singh, J)

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