

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.354 of 2015

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Bimlesh Thakur @ Chhatu Thakur @ Bimlesh Kumar Thakur S/o Awadh Bihari Thakur, resident of village + P.O. - Chakki (Jaipal Thakur Ka Dera), P.S. - Brahmpur (O.P. Chakki), District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director General of Police, Bihar, Patna.
3. The Additional Director General of Police, C.I.D., Patna.
4. The Inspector General of Police, Patna.
5. The Deputy Inspector General of Police, Sahabad Range, Rohtas.
6. The Superintendent of Police (Economic), C.I.D.
7. The Superintendent of Police, Buxar.
8. The S.D.P.O. Dumraon, Buxar.
9. The Incharge, C.B. Team, Buxar.
10. The Incharge, O.P. Chakki (Brahmpur).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar, Advocate
For the Respondent/s : Mr. Rajiv Roy, GP-5

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 28-01-2016 In the present application preferred under Articles 226 and 227 of the Constitution of India, the prayer of the petitioner in para-1 is as under:

“1. That invoking the extraordinary jurisdiction of this Hon’ble Court, present writ application is filed for issuance of appropriate writ / rule or direction to the respondents authorities to make the proper inquiry / investigation in pursuance to the letter submitted by the respondent No.-9 in respect of inquiry / investigation of Brahmpur (Chakki O.P.) P.S. Case No.339/09 dated 09.11.2009 since the Petitioner has been made accused in the

aforesaid P.S. Case on basis of false and concocted statements of the informant / interested witness without making proper investigation on the application given by the Petitioner's mother to the Respondent authorities but they are inspite of making proper investigation and relying upon the statements of the informant / interested witnesses of the concerned P.S. as a wholly truth the Petitioner has been made one of the accused persons which is not legal, proper and also against the natural justice. And further this writ application is also for issuance of appropriate writ or rule for stay the further proceeding of the said case unless the fresh investigation and charge sheet submitted.”

In view of the assertions made in the counter affidavit filed on behalf the respondent no.6 as also in the counter affidavit filed on behalf of the respondents no.7, 8 and 10, learned counsel for the petitioner seeks leave to withdraw the present application in order to agitate his claim before the jurisdictional Magistrate.

Leave is granted.

The application is dismissed as withdrawn.

(Ashwani Kumar Singh, J)

Md.S./-

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