

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.179 of 2016

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

1. Jitendra Rai, Son of Late Gansi Rai, Resident of Village- Siswa, P.S.- Parihar, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Superintendent of Police, Sitamarhi, District- Sitamarhi.
3. The Sub-Divisional Police Officer, Sitamarhi Sadar, District- Sitamarhi.
4. The Officer In Charge Parihar Police Station, District- Sitamarhi.
5. The Investigating Officer of Parihar P.S. Case No. 134/2015, P.S.- Parihar, District- Sitamarhi.
6. Jai Kishore Rai, Son of Late Siya Ram Rai.
7. Suresh Rai, Son of Late Ram Baran Rai.
8. Dinesh Rai, Son of Late Ram Baran Rai.
9. Bhikhari Rai, Son of Late Nuja Rai.
10. Sushil Rai, Son of Bhikhari Rai.
11. Mahendra Rai, Son of Late Manejar Rai.
12. Jinish Rai, Son of Ram Ashish Rai.
13. Rahul Rai, Son of Nagendra Rai.
14. Shail Devi, Wife of Nagendra Rai
15. Urmila Devi, Wife of Bhikhari Rai.
16. Santosh Rai, Son of Suresh Rai. All resident of Village- Siswa, P.S.- Parihar, District- Sitamarhi.

.... Respondent/s

Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Mritunjay Kumar, A.C. to S.C. 23.

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

ORAL JUDGMENT

Date: 29-06-2016

The grievance of the petitioner is that the aforesaid respondents are not taking any action on the first information report lodged on the basis of the complaint filed by the petitioner bearing Parihar P.S. Case No. 134 of 2015 dated 03.08.2015 under sections 384 and 302 of the Indian Penal Code.

The investigation made by the Investigating Officer has found the case false but the matter has been kept pending awaiting report of the Viscera from the Forensic Science Laboratory.

Since the investigation is being carried out, I am not inclined to give any direction or pass order in the present case. On receipt of report of Viscera from the Forensic Science Laboratory the police will take appropriate action in the matter including submission of the report under section 173 of the Code of Criminal Procedure, 1973.

With the observation aforesaid, this writ petition is disposed of.

(Hemant Gupta, J)

Amin/-

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