

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.90 of 2016

Arising Out of Complaint Case No. 120 Year- 2014 Thana -null District- MUZAFFARPUR

Rakesh Pandey, Son of Late Ramudhar Pandey, resident of village - Mahammadpur
Maksudan, P.S. Sahebganj, District - Muzaffarpur

.... Petitioner

Versus

1. The State of Bihar
2. The Director General of Police Vigilance, Bihar, Patna
3. The Commissioner of Tirhut Division, Muzaffarpur
4. The District Magistrate of East Champaran
5. The S.P. of East Champaran District, Bihar
6. The S.P. of Vigilance, Bihar, Patna
7. The Investigation officer of Vigilance, Bihar, Patna
8. Sanjiv Shekhar Jha, officer in Charge of Chakiya Police Station, East Champaran

.... Respondents

Appearance :

For the Petitioner : Mr. Yugal Kishore, Advocate.
Mr. Arvind Kumar, Advocate.
For the State : Mr. Rabindra Kumar Priyadarshi, S.C. 32
Mr. Kundan Kumar, A.C. to S.C. 32.

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

ORAL JUDGMENT

Date: 23-02-2016

Heard learned counsel for the petitioner and the State.

2. Petitioner has filed the present writ petition for directing the respondent Police Authorities to conclude inquiry and submit Inquiry Report before the learned Special Judge, Vigilance, North Bihar, Muzaffarpur in Complaint Case No. 120/2014 dated 16th September, 2014 filed under Sections 347 and 420 of the Indian Penal Code and Section 13 of the Prevention of Corruption Act.

3. The grievance of the petitioner is that earlier a Special Judge has passed an order on 10th October, 2014 but even after considerable time having been passed, still the inquiry has not been completed.

4. I do not find any merit in the present writ petition. The investigation has to be carried out by the police authorities keeping in view the availability of resource and time at their command. Without going into the maintainability of a complaint by the petitioner against the respondents under the Prevention of Corruption Act, I find no justification for issue a direction to complete the inquiry in a particular time frame.

5. There is no merit in this writ petition and the same stands dismissed.

(Hemant Gupta, J)

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