

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.261 of 2016

Arising Out of PS.Case No. -null Year- null Thana -null District- VAISHALI(HAJIPUR)

1. Bishwanath Rai Son of Late Raghubansh Rai, resident of Village- Ibrahimabad, P.S. Raghapur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna.
3. The Superintendent of Police, Vaishali at Hajipur.
4. The Dy. S.P. Hajipur.
5. The Officer Incharge Raghapur (Rushtampur O.P.) Vaishali.
6. The Investigation Officer Raghapur (Rushtampur O.P.) Vaishali.
7. Manik Chand Rai Son of Munshilal Rai null
8. Manohar Rai Son of Munshilal Rai
9. Mushafir Rai @ Mukhiya Rai son of Munsilal Rai null
10. Maheshwar Rai son of Bishundhari Rai
11. Maheshwar Rai son of Bishundhari Rai Resident of Village- Bahrampr, P.S.- Raghapur, District- Vaishali.
12. Lagandeo Rai son of Late Prabhu Rai
13. Mukesh Rai son of Late Kishnu Rai Both resident of Saistapur, P.S. Raghapur (Rushtampur O.P.) District- Vaishali.
14. Indradev Rai son of Khali Rai residents of Village- Shree Rampur, PS- Raghapur, District- Vaishali.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Rai, Advocate

For the Respondent/s : Mr. Vijay Bharti, AC to SC-26

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL JUDGMENT

Date: 18-04-2016

With the help of this application, made under Articles 226 and 227 of the Constitution of India, the petitioner, who is informant of Raghapur (Rustampur O.P.) P.S. Case No.01 of 2016, has sought for issuance of direction for arrest of the absconding accused persons, *inter alia*, and for effective investigation.

Heard Mr. Raja Ram Rai, learned Counsel, appearing on

behalf of the petitioner, and Mr. Vijay Bharti, Assistant Counsel to learned Standing Counsel No.26, appearing on behalf of State-respondent.

From the counter affidavit, which has been filed by the State-respondents, it appears that out of the eight accused persons, who have been named in the First Information Report, while one accused was arrested, two accused persons had surrendered. As against the four accused persons, in terms of the provisions under Section 82 of Cr.P.C., processes have been issued and so far as the remaining one accused is concerned, his culpability is doubtful and, therefore, the investigation is still in progress.

Having regard to the submissions made in the writ petition and materials on record and upon hearing the parties, respondent No.3, namely, Superintendent of Police, Vaishali at Hajipur, is hereby directed to ensure that investigation into Raghapur (Rushtampur O.P.) P.S. Case No.1 of 2016 shall be conducted properly, effectively and expeditiously so that the offenders are brought to book without harassing any innocent person.

With the aforesaid observations and directions, this writ petition stands disposed of.

(I.A. Ansari, ACJ.)

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