

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.342 of 2016

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1. Soman Mahto Son of Late Mangal Mahto, Resident of Village-
Ghordaur, PS.- Singhwara, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Darbhanga Zone, Darbhanga.
4. The Deputy Inspector General of Police, Darbhanga Range, Darbhanga.
5. The Senior Superintendent of Police, Darbhanga.
6. The Station House Officer, Jalley Police Station, District- Darbhanga.
7. Dharmendra Yadav
8. Satyendra Yadav
9. Jitendra Yadav All 7 to 9 son of Sahdeo Sinha Yadav
10. Pappy Mahto son of Etwari Mahto
11. Md. Tamanna, son of not known All 7 to 11 resident of Village-
Bharwara Ghoruar, P.S.- Singhwara, District- Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jagannath Singh, Adv.
For the Respondent/s : Mr. Sunil Kr. Mandal (SC 24)
Mr. Bipin Kumar, AC to SC 24

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

3 21-07-2016 Heard Mr. Jagannath Singh, learned Counsel,

appearing on behalf of the petitioner, and Mr. Sunil Kumar

Mandal, learned Standing Counsel No.24, appearing on behalf of

the State-respondents.

With the help of this application, made under
Articles 226 and 227 of the Constitution of India, the petitioner
has sought for direction to be issued to the respondents to
complete the investigation of Jalley P.S. Case No. 109 of 2013.

By filing a counter affidavit, respondent Nos.5 and

6, namely, Senior Superintendent of Police, Darbhanga and Station House Officer, Jalley Police Station, Darbhanga, respectively have submitted to the effect, *inter alia*, that upon completion of investigation, *final report* No.100 of 2015, in terms of Section 173(2)(i) of the Code of Criminal Procedure, has been submitted, on 31.03.2015, stating to the effect that the case against the accused has not been found to be true, whereas the order, dated 14.12.2015, passed in Jalley P.S. Case No.109 of 2013, by learned Chief Judicial Magistrate, Darbhanga, shows that no *final report* had, till then, been received.

In view of the above, while closing this writ petition, it is hereby directed that learned Chief Judicial Magistrate, Darbhanga, shall take up the *police report*, if filed in the meantime, and pass appropriate order thereon, expeditiously if no order has, in the meanwhile, been passed. If no *final report* has been received, the learned Chief Judicial Magistrate shall hold an enquiry into the question as to where the *final report* is and, then, take necessary action and pass order(s) in accordance with law.

(I.A. Ansari, ACJ)

K.C.jha/-

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