

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7202 of 2015

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Dinesh S/o Akhileshwar Prasad Singh, Resident of Old Lal Kothi, Alkapuri More,
P.S. -Gardanibagh, District-Patna-800002; Permanent Resident of Kurthaul
(Rajputana), P.S - Parsa Bazar, District Patna.

.... Petitioner

Versus

1. The Union of India through the Cabinet Secretary, Central Secretariat, New Delhi- 110001
2. The Cabinet Secretary, Government of India, Central Secretariat, New Delhi- 110001
3. The Home Secretary, Government of India, Central Secretariat, New Delhi- 110001
4. The Law Secretary, Government of India, Central Secretariat, New Delhi- 110001
5. The State of Bihar through the Chief Secretary, Old Secretariat, Patna-800001
6. The Chief Secretary, Government of Bihar, Old Secretariat, Patna-800001
7. The Advocate General, Bihar, High Court, Patna-800001.

.... Respondents

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Appearance:

For the Petitioner/s : None.
For the Union of India : Mr. S. D. Sanjay, A.S.G.
Dr. Punam Kumari Singh, C.G.C.
For the State : Mr. Lalit Kishore, PAAG-1.
Mr. Bishwa Bibhuti Kumar Singh, AC to PAAG-1.

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 18-11-2016

The petitioner has filed the writ application in public interest to ensure that all cases of caste and communal violence in Bihar are investigated by the National Investigation Agency or the Central Bureau of Investigation or the Special Investigation teams and to ensure that witness protection programme is fully implemented in relation to all such cases.

We find that whether the investigation should be carried out by the State police or by the Central Bureau of Investigation or by the National Investigation Agency is a decision which is required to be taken in the facts of the case keeping in view the gravity and nature of the offence. There cannot be any omnibus direction that all the cases of caste and communal violence are investigated in a particular manner by a particular agency. Such directions are not warranted in exercise of powers conferred under writ jurisdiction of this Court.

We do not find any merit in the present writ application.

Accordingly, the writ application is dismissed.

(Hemant Gupta, ACJ)

(Vikash Jain, J)

Mishra/-

AFR/NAFR	A.F.R.
CAV DATE	N.A.
Uploading Date	23.11.2016
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