

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.408 of 2016

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1. Shiv Kumari Devi wife of Umesh Keshari, resident of village- Rampur, P.S. Bakhari, District- Begusarai
 2. Raj Kumar Mukhiya, son of Ram Bilash Mukhiya, resident of village- Rampur, P.S.- Bakhari, District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar
2. Principal Secretary, Department of Home (Police), Government of Bihar, Patna
3. Director General-cum-Inspector General of Police, Bihar, Patna
4. Inspector General of Police, Munger
5. Deputy Inspector General of Police, Munger
6. Superintendent of Police, Begusarai
7. Officer Incharge of Bakhari Police Station, District- Begusarai
8. Investigating Officer of Bakhari P.S. Case No. 6/16
9. Ripunjay Kumar @ Ripunjay Kumar Roy, Son of Suresh Roy, resident of village- Rampur, P.S.- Bakhari, District- Begusarai

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr. Shyam Kishore Sharma, GA-1

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

3 30-06-2016 As against the report submitted, under Section 173(2)(I) of the Code of Criminal Procedure, in Bakhari Police Station Case No.6 of 2016, exonerating the accused aforementioned, in the First Information Report, terming the entire case as a civil dispute, this writ petition has been filed, under Article 226 of the Constitution of India, seeking issuance of writ directing the respondents to properly investigate the case aforementioned, wherein one of the accused, namely, Birendra Kumar, son of late Ram Prasad, is the Sub-Divisional Police

Officer, Bakhari.

Heard Mr. Ajay Kumar Thakur, learned Counsel, appearing on behalf of the petitioners, and Mr. Shyam Kishore Sharma, learned Government Advocate No.I, appearing on behalf of State-respondents.

Having considered the averments made in the writ petition and having heard learned counsel for the parties concerned, this writ petition is closed and it is hereby directed that Sub-Divisional Judicial Magistrate, Bakhari, shall give notice to the informant of the case and, upon hearing the parties concerned, pass appropriate order as regards acceptance or otherwise of police report bearing in mind, however, the grievances expressed by the petitioners that the investigation into the case abovementioned has been wholly perfunctory and facile and, therefore, warrants further, proper, effective and expeditious investigation.

If the petitioners are aggrieved by the order, which may be passed by Sub-Divisional Judicial Magistrate, Bakhari, the petitioners shall remain at liberty to take recourse to such provisions of law as may be permissible.

(I.A. Ansari, ACJ.)

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