

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.287 of 2016

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1. Sumitra Devi, W/o Sri Kailash Chandra Sudhakar, resident of Village: Shiv Nagar, Post Mortem Road, Nawadah, P.O. & P.S.: Nawadah, District: Nawadah.

.... Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Old Secretariat, Bihar, Patna.
2. The Superintendent of Police, Nawadah.
3. The S.H.O., Mahila Police Station, Nawadah.
4. The S.H.O., Police Station, Akbarpur, District: Nawadah.
5. Kailash Chandar Sudhakar, Son of Late Deonandan Pandit, resident of Village: Kananpur, P.S: Pakriwarama, District: Nawada at present posted as Teacher, at Runipur, P.S: Akbarpur, District: Nawadah.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Naresh Prasad, Adv.
For the Respondent/s : Mr. Vivek Prasad (GP-18)
Mr. Sanjay Kumar Ojha, AC to GP 18

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 20-07-2016 Heard Mr. Naresh Prasad, learned Counsel, appearing on behalf of the petitioner, and Mr. Sanjay Kumar Ojha, learned Assistant Counsel to Government Pleader No.18, appearing on behalf of the State-respondents.

Considering the fact that no case for cognizable offence has been made out by the petitioner to have been committed by respondent No.5, this writ petition made, under Articles 226 and 227 of the Constitution of India, for directing arrest of respondent No.5, and for proper investigation, is misconceived and untenable in law.

In view of the above, this writ petition is dismissed with liberty to the petitioner to take recourse to appropriate provisions of law, as may be admissible.

(I.A. Ansari, ACJ)

K.C.jha/-

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