

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1246 of 2016

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1. Ramanuj Prakash son of Sri Ram Krit Sharma resident of village Ghoshi
Block Colony, P.S. Ghoshi, District Jehanabad Petitioner

Versus

1. The State of Bihar through the Director General of Police, Government of
Bihar, Patna
2. The Senior Superintendent of Police, Patna
3. The Superintendent of Police, Patna
4. The Deputy Superintendent of Police, Patna Sadar, Patna
5. The Officer in Charge, Patrakar Nagar Police Station Patna Sadar, Patna
.... Respondents

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Appearance :

For the Petitioner : Mr. Prakash Chandra Jha, Adv.

For the Respondents : Mr. Sheo Shankar Prasad, SC VIII

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 02-08-2017 The petitioner is informant of Patrakar Nagar P.S.
Case No. 271 of 2016, registered under Sections 302 and 201/34
of the Indian Penal Code on suspicion that some other students,
residing in the same hostel, committed murder of Paras Ranjan,
the son of the informant. The first information report reveals that
informant got information on mobile phone that Paras Ranjan fell
down from the roof of the hostel and was in critical condition.
When the victim was being carried to the hospital for treatment, he
was declared dead by the doctor of Patna Medical College and
Hospital.

The petitioner has prayed for issuance of mandamus
to the respondents to investigate the matter expeditiously and book
the real culprit.

The counter affidavit filed on behalf of the
Subdivisional Police Officer, Sadar, Patna, who is supervising the
case, reveals that the police is investigating the case properly and
the different area of investigation has also been pointed out by the



supervising authority to the investigating officer, as disclosed in paragraph 8 of the counter affidavit. In paragraph 11 of the counter affidavit the respondents have denied that re-statement of the informant has not been recorded.

One more prayer is for direction to the police to arrest the accused persons.

Such direction can not be issued by the writ Court in view of the judgment of the Hon'ble Apex Court in **M.C. Abraham & Anr. Vrs. the State of Maharashtra & Ors., reported in (2003) 2 SCC, 649.**

After hearing the parties and considering the facts of this case, aforesaid, I do not find any merit in this writ application. However, the respondents are directed to conclude the investigation expeditiously and preferably within three months from today, as the time limited under the provisions of Section 167 of the Criminal Procedure Code has already expired.

With the aforesaid observations, this writ application stands **disposed off**.

(Birendra Kumar, J)

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