

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1349 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- PATNA

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Rameshwar Prasad Shahi, Son of Late Sadhu Sharan Prasad Shahi, Resident of 'Geeta Sadan', Park Road, P.S.- Kadamkuan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar Through The Home Department, Government of Bihar, Old Secretariat, Patna- 800001.
2. The Director General of Police, Bihar.
3. The Superintendent of Police, Begusarai.
4. The Officer in Charge, Naokothi Police Station, Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar, Advocate

For the Respondent/s : Mr. Suman Kr. Jha, A.C. to A.A.G.III

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 24-07-2018

The grievance of the petitioner is that even though a First Information Report has been lodged, the investigation is not progressing with sincerity. Learned counsel representing the petitioner submits that the Investigating Officer is acting in collusion with the accused persons and instead of taking action he is rather saying that the entire case lodged by the petitioner would be hushed up. Learned counsel further submits that he has filed an application before the Superintendent of Police, Begusarai for changing the Investigating Officer.

In the facts and circumstances of this case the Superintendent of Police, Begusarai is directed to look into the



grievance of the petitioner and consider his representation for change of Investigating Officer and pass an appropriate order within a period of two months from today. In case, it is found that the progress in the matter of investigation of this case is not going on with sincerity and adequately the Superintendent of Police, Begusarai shall change the Investigating Officer of the case. In case, the petitioner feels aggrieved by inaction on the part of Investigating Officer, he would also be free to move an application in the court below in *seisin* of the matter for change of Investigating Officer in the light of the judgment of the Hon’ble Supreme Court in the case of **Sakiri Vasu Vs. State of U.P.** reported in **(2008) 2 SCC 409**. The court below shall be competent to pass an appropriate order on such application.

This application stands disposed off.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

AFR/NAFR	
CAV DATE	
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