

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.2231 of 2017

Arising out of Gandhi Maidan P.S. Case No.348 of 2017, District-Patna

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Ganesh Prasad Yadav, Son of Late Palatan Prasad Yadav, resident of
Mohalla- C/16 A.G. Colony, Raja Bazar, Police Station- Shastri Nagar,
District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar Through Home Secretary, New Secretariat, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Deputy Superintendent of Police, Sadar Patna.
6. The Officer In-charge, Shastri Nagar Police Station, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar, Adv.
Mr.Dhananjay Kumar, Adv.

For the Respondent/s : Mr. Ajay Kumar, AC to GP-4

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

2 09-02-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

Grievance of the petitioner in this case is that even
though an FIR has been lodged giving rise to Gandhi Maidan P.S.



Case No.348 of 2017 on 02.07.2017 under Sections 409 and 420/34 of the Indian Penal code, but till date no progress at all has been made in the investigation of the case and the I.O. is not taking interest in conducting the proper investigation of the case.

On the other hand, learned counsel representing the State submits that presently he has no instruction in the matter.

In the facts and circumstances of the case, instead of keeping the matter pending here, this Court feels it proper to dispose off the writ application with a direction to the S.S.P., Patna to ensure that the investigating officer of the case must act with some urgency and should conclude the investigation of the case and submit a report in the court below within a period of three months from today. Six months have already gone past by now and therefore, further three months time is granted to complete the investigation. If not completed, the S.S.P., Patna shall consider changing the I.O. in the case.

The petitioner would also be at liberty to move the court below by filing an appropriate application for proper conduct of the investigation in the light of the decision of the Hon'ble Supreme Court in the case of **Sakiri Vasu Vs. State of U.P. & Ors.** reported in **(2008) 2 SCC 409** which has been recently followed in the case of **Sudhir Bhaskarrao Tambe Vs. Hemant**



Yashwant Dhage & Ors. reported in **(2016) 6 SCC 277.**

(Rajeev Ranjan Prasad, J)

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