

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.536 of 2018**

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Sunil Kumar, son of Gaya Prasad, Resident of Village- Kutubchak, P.S.-  
Kawakole, District- Nawada.

.... .... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Home, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Deputy Inspector General, Central Range, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Superintendent of Police Patna West, Patna.
6. The Superintendent of Police, Rural, Patna.
7. The Then Deputy Superintendent of Police Fulwari Sharif Cum Investigating Officer of Beur P.S. Case No. 52/2017, District- Patna.
8. The Deputy Superintendent of Police Fulwari Sharif Cum Investigating Officer of Beur P.S. Case No. 52/2017, District- Patna.
9. Sri Vijay Kumar, Son of not known, the then Sub- Inspector of Police, Beur Police Station at Present Posted at Gandhi Maidan Police Station District- Patna.

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Bharat Lal

For the Respondent/s : Mr. Md. N. H. Khan(Sc-I)

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

**2. 20-07-2018**

It appears that during pendency of the writ application the investigation has already been completed and pursuant to a charge-sheet submitted to the learned court of Chief Judicial Magistrate/Special Court, as the case may be, cognizance has already been taken.

Mr. Sandip Kumar, learned counsel representing the petitioner has though initially insisted to hear the matter by allowing the Interlocutory Application filed by him to challenge the order taking cognizance on various grounds, this court is not



willing to accept the Interlocutory Application in the present writ application for the simple reason that once the order taking cognizance has been passed, the entire materials on the basis of which cognizance has been taken and the issues involved therein may be considered in an appropriate application filed by the petitioner in terms of the provisions of the Code of Criminal Procedure.

With a liberty to the petitioner to challenge the order taking cognizance in an appropriate proceeding, this application is disposed of as having become infructuous.

**(Rajeev Ranjan Prasad, J.)**

Rajeev/-

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