

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1136 of 2016

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Naresh Rai son of Arjun Rai resident of Village- Pithauri Pandey Tola,
Police Station- Baniyapur, District- Saran.

... Petitioner

Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Muzaffarpur range.
4. The Deputy Inspector of Police, Saran at Chapra.
5. The Superintendent of Police, Saran at Chapra.
6. The Deputy Superintendent of Police, Saran at Chapra.
7. The Officer In-charge of Baniyapur, Police Station Saran at Chapra.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
Mr. Rajesh Roy, Advocate
For the Respondent/s : Mr. Partha Sarthi, G.A. 4

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 23-08-2018

The petitioner is an accused in Baniyapur P.S.

Case No. 45/2016 and has been charge-sheeted in this case.

The grievance is not with respect to the case in which he is an accused rather he is seeking investigation in connection with Baniyapur P.S. Case No. 96/2016 which according to him gives a different version of the occurrence which is subject matter of Baniyapur P.S. Case No. 45/2016. The grievance is limited to that the police authorities are not concluding the investigation in the case lodged by him.

This court is of the considered opinion that the police authorities responsible to investigate the matter cannot continue to sit over the investigation for over two



years in the manner it has been done in the present case. The Superintendent of Police, Saran at Chapra (respondent No. 5) is hereby directed to ensure conclusion of the investigation within a period of 90 days from the date of receipt/production of a copy of this order. He would also ensure filing of final form in terms of Section 173 Cr.P.C. before the court below within the aforesaid period. In case it is found that the Investigating Officer of the present case is not taking interest and is not continuing with the investigation within the time frame fixed by this court, Superintendent of Police, Saran at Chapra shall change the Investigating Officer in order to ensure compliance of the order of this court. The non-compliance and pendency of the investigation after the aforesaid period shall be viewed seriously.

With the aforesaid observation and direction, this writ application stands disposed of.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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