

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.791 of 2018

Arising Out of PS.Case No. -13 Year- 2012 Thana – RAJEEV NAGAR District- PATNA

=====

Manoranjan Prasad, Son of Late Parmanand Prasad, resident of House No. 215,
Road No. 21C, Police Station- Rajeev Nagar, 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 Senior Superintendent of Police, Patna.
4. The Joint Director, Enforcement Directorate, Patna Zonal Office, 4th floor, (Eastern Wing), BSFC Building, Fraser Road, Patna- 800001.
5. The Assistant Director, Enforcement Directorate, Patna Zonal Office, 4th Floor, (Eastern Wing), BSFC Building, Fraser Road, Patna- 800001.
6. The Officer in Charge, Rajeev Nagar Police Station, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sandeep Kumar, Adv.
For the Respondent/s : Mr. Manish Kumar, GP-4

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 28-03-2018

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner, in the present case, is seeking following
reliefs :-

- For Directing the CBI/respondents to
further/properly investigate the Rajeev Nagar P.S.
Case No.13 of 2012 registered under Section 420,*



406, 120B, 323 and 504 of the Indian Penal Code, 1860;

ii. For a further direction upon the respondents no.4 & 5 to register a FIR for the offence committed under the provisions of the Prevention of Money Laundering Act and/or for any other relief[s] for which the Petitioner may be found entitled to in the facts and circumstances of the present case.”

Mr. Sandeep Kumar, learned counsel for the petitioner has vehemently argued before this Court that police has not conducted the investigation in the matter properly and without looking into the seriousness of the allegations a final form has been submitted by the police. Learned counsel has even attempted to impress upon this Court that there are allegations of money laundering etc. against the petitioner which needs to be investigated by registering a separate F.I.R. Learned counsel further informs this Court that against the final form submitted by the police petitioner has either filed a protest petition or may file a protest petition in accordance with law.

On the other hand, learned counsel representing the State points out from the statements made in the FIR that in fact in the complaint lodged by this petitioner with Rajeev Nagar Police Station, there is no allegation at all of indulging in money laundering against



the accused or his family members. Learned counsel points out that as per the F.I.R. petitioner had contributed a sum of Rs.31 lakhs by depositing the same in the cash credit account of the accused on the pretext that petitioner will be taken as a Director in the company/firm which has been floated by the accused and that the petitioner will also be given 50% share in the said company. Learned counsel submits that this being the allegation the police has investigated and submitted a final form and if at all petitioner has got any grievance with the same he has a remedy in form of protest petition which may be registered as a complaint case giving opportunity to the petitioner to bring sufficient materials against the accused to proceed against them.

Having heard learned counsel for the petitioner as also the learned counsel representing the State, this Court is of the considered opinion that in view of submission of the final form by the police in Rajeev Nagar P.S. Case No.13 of 2012, if at all petitioner has any grievance, he has a remedy before the regular court in terms of the provisions of the Cr.P.C. itself and as pointed out by learned counsel representing the State a protest petition may be one of the remedies available to the petitioner.

This Court is not inclined to issue any direction in the matter since the case has already been registered and final form has



been submitted by the police and the matter may be pursued by the petitioner in the court below in accordance with law.

The writ application stands disposed of.

(Rajeev Ranjan Prasad, J)

Arvind/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	29.03.2018
Transmission Date	29.03.2018

