

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1336 of 2016

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Meera Jha, wife of Late Shatrughan Jha, resident of Village- Seikhpura,
Akhara Ghat, P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through Home Secretary, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Senior Superintendent of Police, Muzaffarpur.
4. The Superintendent of Police, Vaishali at Hazipur.
5. The Deputy Superintendent of Police, Vaishali at Hazipur.
6. The Officer-in-charge of Rajapakar, Police Station, Vaishali at Hazipur.
7. The Superintendent of Police, C.I.D. Bihar, Patna.
8. The Central Bureau of Investigation through the Superintendent of Police, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv.

For the Respondent/s : Dr. Mankeshwar Tiwary, AC to AAG 3

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-01-2018 Present writ application has been filed for a direction to the respondents to get the investigation of Rajapakar P.S. Case No.173 of 2015 dated 28.12.2015 done either by the C.I.D or the C.B.I. and to conclude the same immediately and also to provide safety to the family members of the petitioner.

Learned counsel for the petitioner submits that the case has been registered under Sections 302/201/34 IPC, but despite this being gravity of the offence alleged the investigating officer is not taking proper investigation of the case. In this regard, an application has also been filed before the Superintendent of



Police, Vaishali at Hajipur and before Director General of Police, Bihar, Patna as the family of the petitioner was getting consistent threat calls from the unknown criminals. In paragraph 12 of the writ application it is stated that after considering the entire facts, the Director General of Police, Bihar, Patna transferred the case to the Crime Investigation Department, but even thereafter nothing has happened.

Learned counsel for the State is present. This is a case of the year 2016, but no counter affidavit has been filed.

In the circumstances, instead of keeping the writ application pending, the matter is being referred to the D.G.P., Bihar, Patna in view of the statement made by this petitioner in paragraph 12 of the writ application. If he has already referred the matter to the C.I.D., an appropriate direction be issued to the said Department to take up the matter with some urgency and properly investigate the case without losing further time. The threat perception of the family of the petitioner may also be got assessed in accordance with law and if required provide security like any other citizen of the State.

If the investigation is still in the hand of the local P.S. then the local police may be directed to conclude the investigation without further delay and investigation by the C.I.D.



or the local police must be concluded and the investigation report be submitted in accordance with law in the court below within a period of four months from the date of receipt/production of a copy of this order.

The petitioner will be at liberty to file an appropriate application in the court below, if so required, for proper investigation keeping in view the judgment 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**.

The application stands disposed of with the observation and directions made above.

(Rajeev Ranjan Prasad, J)

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