

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1309 of 2016

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Ajay Kumar Jha, Son of Sri Umesh Jha, resident of Mohalla- Sukh Nagar,
P.S.- K. Hat, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Govt. of Bihar, Patna.
2. The Director General Of Police, Bihar, Patna.
3. The Deputy Inspector General of Police, Purnea.
4. The Superintendent of Police, Purnea.
5. The Deputy Superintendent of Police, Purnea.
6. The Officer-in-charge of K. Hat, Police Station, Purnea.
7. Mukesh Kumar Mantu, Son of Sri Umesh Jha.
8. Putul Devi, Wife of Mukesh Kumar Mantu,
9. Laxmi Devi, Wife of Sri Umesh Jha, respondent No. 7 to 9 residing at
Mohallah- Maithli Tola, P.S. K. Hat, District- Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Respondent/s : Mr. Md. Nadim Seraj(GP5)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 31-01-2018 Learned counsel for the petitioner submits that despite the fact that the FIR has been registered, the investigating officer is not taking interest in proper investigation of the case.

On the other hand, learned counsel for the State submits that if the petitioner has grievance regarding conduct of investigation, he may file an appropriate application in the court below in terms of 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.**

In the aforesaid view of the matter, the petitioner may seek remedy before the court below by filing an appropriate application bringing to the notice of the learned Magistrate where the case is pending about delay in conclusion of the investigation or proper investigation. If such an application is filed by the petitioner before the learned Magistrate, the learned Magistrate shall consider the same in view of the judgment aforesaid. It will be duty of the court to monitor the progress of the case so that investigating officer does not delay the investigation.

The application stands disposed off.

(Rajeev Ranjan Prasad, J)

Arvind/-

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