

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1184 of 2015

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Jhunni Devi wife of Bajrangi Ram, resident of Rajendra Nagar Road No. 1,
Ambedkar Colony, P.s.- Kadam Kuan, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna
3. The Senior Superintendent of Police, Patna
4. The City Superintendent of Police, Patna
5. The Deputy Superintendent of Police, Sadar, Patna
6. The Officer-in-Charge, Kadam Kuan Police Station, District- Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2
For the Respondent/s : Mr. Kumar Alok (SC 8)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 18-01-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner, in the present case, is seeking a direction
to the respondent authorities to investigate the Kadamkuan P.S.
Case NO.48 of 2015 properly and take coercive step against the
named accused persons and/or any other relief or reliefs to which
the petitioner may be found entitled.

A supplementary affidavit has been filed on behalf
of the petitioner.



On the last date, this Court was informed that the investigation in the present case is complete and a charge-sheet has already been submitted.

In these circumstances, the petitioner has remedy available in terms of Section 173 (2) as well as Section 173 (8) of the Code of Criminal Procedure. In case the petitioner is not satisfied with conduct of investigation and requires further investigation to be carried out, he can make an application in accordance with law whereupon the learned court below shall consider all aspects of the matter and the court below having got power to monitor and supervise the investigation shall pass an appropriate order in accordance with law.

Long back in the case of **Sakiri Vasu Vs. State of U.P. & Ors. reported in (2008) 2 SCC 409**, the Hon'ble Apex Court has settled the legal position holding that even though Section 156 (3) is not very widely worded, but the power conferred upon the Magistrate in whose jurisdiction the case is pending is very wide. The judgment has been recently followed in the case of **Sudhir Bhaskarrao Tambe Vs. Hemant Yashwant Dhage & Ors. reported in (2016) 6 SCC 277**.

In view of the remedy available to the petitioner, this Court is not inclined to pursue the matter further.



The application is disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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