

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1261 of 2016

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Rajesh Kumar Bhagat Son of Sri Siya Ram Bhagat, Resident of Village-
Madariya, P.S.-Amarpur, District- Banka.

.... Petitioner

Versus

1. The State of Bihar Through The Director General of Police Government of Bihar, Patna
2. The Superintendent of Police, Banka.
3. The Officer in Charge, Amarpur Police Station, District – Banka.
4. The Investigating Officer of Amarpur P.S. Case No. 286/2016, P.S. Amarpur, District – Banka.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dharendra Nath Jha, Adv.

For the Respondent/s : Mr. Md.Nadim Seraj(GP-5)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 13-09-2018 Learned counsel for the State submits that realizing the position that it is a case of the year 2016 registered under Section 302/34 of the Indian Penal Code read with Section 27 of the Arms Act, the Investigating Officer is taking appropriate steps to complete the investigation on the issues which have transpired in course of investigation so far.

It is also submitted that the matter is within the knowledge of the senior police officers and recently on 29.08.2018 the Deputy Superintendent of Police, Banka has issued certain directions to the Investigating Officer which may be seen from Annexure-‘F’ to the counter affidavit. It is submitted that the investigation is likely to be concluded within a period of three months.



Learned counsel for the petitioner submits that in fact the investigating agency is not acting properly and they are not showing sincerity towards investigation which is evident from the fact that case is of the year 2016 and could not be investigated over two years by now.

Having heard learned counsel for the parties, this Court directs that the Investigating Officer shall complete the investigation of the case and submit a final report in terms of the Section 173 Cr.P.C. with the concerned court within a period of two months from today, failing which the Superintendent of Police, Banka shall review the matter for changing the Investigating Officer and if required he will change the Investigating Officer and shall ensure that the investigation is completed within a maximum period of 90 days from today as have been submitted by the learned counsel for the State. Non-compliance of the order shall be viewed seriously. The time given must be adhered to by the Investigating Agency.

This writ application stands disposed off with the aforesaid observations and directions.

(Rajeev Ranjan Prasad, J)

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