

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1155 of 2015

Arising out of Dharhara P.S. Case No.118/2009, District-Munger

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Jwala Prasad, S/o Mahendra Prasad Sah, Programme Officer, Dharhara Block, District Munger at Present residing at Aliganj, Bounsi Road, P.S. Babarganj, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar Through Home Secretary Govt. of Bihar, Patna
2. The Director General of Police, Bihar, Patna
3. The Superintendent General of Police, Bihar Patna.
4. The Officer Incharge , P.S. Dharhara, District Munger.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta

For the Respondent/s : Mr. Smt. N. Nirvikar (GA-10)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

6 18-08-2018 It appears from the show cause filed on behalf of the investigating officer that the investigation of the case has been completed now and a charge-sheet has been filed against the accused persons including the present petitioner who happens to be the informant of this case.

Learned counsel for the petitioner submits that the sanction order as well as the charge-sheet submitted against the petitioner are without any evidence. However, learned counsel for the State submits that considering the scope and ambit of the relief prayed for in the present writ application, this writ application has become infructuous.



Having heard learned counsel for the petitioner and learned counsel representing the State and upon going through the show cause, this Court finds that the petitioner had moved this Court seeking a direction to the investigating authorities to complete the investigation and submit a charge-sheet against the accused persons. It was his grievance that the I.O. was not investigating the case truly and, therefore, the petitioner had been compelled to move this Court. Now that the investigation is complete and charge-sheet has already been filed so far as the present writ application is concerned, in the opinion of this Court, it has become infructuous.

The contention of the petitioner that the sanction order and the charge-sheet are bad in law may be taken care of if the petitioner so advised to challenge the same in an appropriate proceeding in accordance with law. Liberty is granted to the petitioner to that extent.

The application stands disposed off.

(Rajeev Ranjan Prasad, J)

Arvind/-

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