

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.987 of 2018

Arising Out of Jakkampur PS.Case No. - 375 Year- 2017 Thana - Jakkampur District- PATNA

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Bibha Kumari D/o Uma Kant Ram, R/o Agricultural Engineer's House No. 1
(Krishi Abhiyantran Awas No. 1) Mithapur Krishi Farm, P.S.- Jakkampur, District-
Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Home Government of Bihar, Patna.
2. Director General of Police, Old Secretariat, Patna.
3. Zonal I.G. Central Range, Gandhi Maidan, Patna.
4. Senior Suprintendent of Police, Patna. null null
5. S.H.O. Jakkampur Police Station, Jakkampur, Patna.
6. Subodh Thakur I.O. of Jakkampur, P.S.- Case No. 375/17, Jakkampur P.S., Patna.
7. S.H.O. Fatehpur Beri P.S., New Delhi-1100047.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Sunil Kumar Sinha, Advocate.

For the Respondent/s : Mr. (SC 8)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 04-05-2018

It appears that the petitioner is not happy with the kind of investigation which is going on in Jakkampur P.S. Case No. 375/17 dated 06.11.2017 registered under Sections 363 and 365 of the Indian Penal Code.

Submission is that despite lodging the First Information Report the Investigating Officer is not taking steps to find out the whereabouts of the victim and no step has been taken to catch hold of the persons involved in commission of crime.

Learned counsel for the State is present.



It is also stated that the Investigating Officer is not taking steps to get recorded the statements of prosecution witnesses U/S 164 Cr.P.C. even though they are willing to present themselves for this purpose.

In the nature of the submissions, the petitioner is given liberty to file an appropriate application before the learned Judicial Magistrate within whose jurisdiction the present case is pending. On filing of such an application, acting in terms of the judgment of the Hon'ble Apex Court in the case of **Sakiri Vasu Vs. State of U.P. & Ors.**, reported in 2008 (2) SCC 409, the learned Magistrate has to consider the application, monitor and supervise the investigation and shall direct the Investigating Officer to do the needful towards completion of a fair investigation within the prescribed time.

Necessary order on the application shall be passed by the learned Magistrate within 15 days from the date of filing of such an application and on pressing thereof in accordance with law.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	07.05.2018
Transmission Date	07.05.2018

