

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.468 of 2017

Arising Out of PS. Case No.-43 Year-2016 Thana- RAHIKA District- Madhubani

Umesh Chandra Das Son of Late Ganga Narayan Das, Resident of Mohalla-Meena Bazar, Saurath Road, P.S.- Rahika, District- Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar, Through The Principal Secretary, Department Of Home Police , Bihar, Patna and
2. The Director General and Inspector General of Police , Bihar Patna.
3. The Additional Director General of Police Head Quarter, Bihar, Patna.
4. The Inspector Genral of Police, Darbhanga Range, Darbhanga.
5. The Deputy Inspector General of Police, Darbhanga Range, Darbhanga.
6. The Superintendent of Police , Madhubani.
7. The Deputy Superintendent of Police , Sadar, Madhubani.
8. The Station House Officer, Town Police Station , Madhubani.
9. The Station House Officer, Rahika Police Station, Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr.Manish Kumar No 13, Advocate Mr. Rohit Kumar, Advocate Mr. Jitendra Kumar Bharti, Advocate
For the Respondent-State:		Mr. Ajay Kumar Sharma, AC to AG

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 31-07-2019

This application has been filed by the petitioner for directing the respondent to take action against the police officers of Rahika Police Station, in the district of Madhubani, who are not vigilant in discharge of their duty.

2. Learned counsel for the petitioner submitted that a theft was committed in the house of the petitioner when it was locked. At the time of occurrence, the petitioner was at Delhi.



When he came to know about the incident, he submitted a written report to the Officer-in-charge of Rahika Police Station pursuant to which Rahika P.S. Case No. 43 of 2016 dated 30.03.2016 was registered under Sections 457 and 380 of the Indian Penal Code and investigation was taken up.

3. The contention of the petitioner is that repeatedly theft is taking place in the house of the petitioner but the police have not taken any effective steps so far.

4. A counter-affidavit has been filed on behalf of the State wherein it has been denied that the police have not taken any action whenever a report regarding a cognizable offence has been submitted to them.

5. In para-17 of the counter-affidavit, it has been stated that after completing the investigation in Rahika P.S. Case No. 43 of 2016, the police have already submitted final report as case true but no clue.

6. Be that as it may, since the police report has already been submitted in the court of jurisdictional Magistrate, no direction is required to be issued by this Court.

7. In case, the petitioner is not satisfied with the outcome of the investigation, he has a remedy before the court of Magistrate. This Court cannot issue any mandamus of taking



action against the police officers merely on the basis of ocular statement of the petitioner that the police are not taking action when a case of theft is registered.

8. In that view of the matter, the application is dismissed.

(Ashwani Kumar Singh, J)

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AFR/NAFR	NAFR
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