

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No. 580 of 2017

Arising Out of PS. Case No.-14 Year-2017 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

=====

Raju Tanti Son of Late Lakhan Tanti, resident of Village/Mohalla- Chotti Line
Jhoparpatti, P.S.- Tilkamanjhi, District- Bhagalpur.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The Director General of Police, Bihar, Patna.
3. The District Magistrate, Bhagalpur.
4. The Inspector General of Police, Bhagalpur Range, Distt- Bhagalpur.
5. The Senior Superintendent of Police, Bhagalpur.
6. The Officer in Charge of Tilkamanjhi Police Station, Distt- Bhagalpur.

... .. Respondents

=====

Appearance :

For the petitioner : None.

For the Respondent-State : Mr. Manish Kumar GP-4

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 06-08-2019

No one appears for the petitioner. Learned counsel for the State is present.

2. Perused the writ petition and the counter-affidavit filed on behalf of the State.

3. This application has been filed by the petitioner under Articles 226 and 227 of the Constitution of India for directing the police officials to arrest the accused persons named in the FIR non-FIR accused of Kotwali (Tilkamanjhi) P. S. Case No. 14 of 2017



dated 06.01.2017 registered inter alia under Section 302 of the Indian Penal Code.

4. The petitioner is the informant of Kotwali (Tilkamanjhi) P. S. Case No. 14 of 2017. In his written report dated 06.01.2017 submitted to the Officer-in-charge of police station, he has stated that his wife Sulekha Devi used to work as maid servant in the house of one Mridula Devi, wife of late Ashok Kumar Das. His eldest son Rahul @ Chhotu aged about 12 years also resided in the house of Mridula Devi and used to attend his school from there. On 04.01.2017, Mridula Devi informed that his son Rahul @ Chhotu has committed suicide by hanging. Upon such information, he rushed to the house of Mridula Devi along with his wife and found his son lying dead. He has further stated in his written report that in the house, Mridula Devi lives together with her son Sandeep Anand and a servant, namely, Chotu @ Rampravesh Choudhary. A UD case was already registered in the Tilkamanjhi Police Station in this regard. He has alleged that his son has been killed by Sandeep Anand, Chotu Chaudhary and Mridula Devi under a conspiracy committing illegal act with him.

5. On the basis of the said information, Tilkamanjhi P. S. Case No. 14 of 2017 was registered under Sections 302/34, 337 and 120 B of the Indian Penal Code as also Section 3(2)(v) of the



Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.

6. In the counter-affidavit filed on behalf of the State, it has been stated that in course of investigation, the statement of the informant was recorded, inquest report was prepared and the postmortem report was obtained. The statements of witnesses were also recorded under Section 161(3) of the CrPC and the case was supervised by the Deputy Superintendent of Police City whereafter charge-sheet has already been submitted in the case vide Charge-Sheet No.49 of 2017 dated 14.04.2017 against accused Ram Pravesh Chaudhary @ Chhotu. It has also been stated that the investigation is going as far as other accused are concerned.

7. A copy of the chargesheet submitted by the police has been brought on record as Annexure- D to the counter affidavit. A perusal of the same would show that charge sheet has been submitted against Rampravesh Chaudhary @ Chotu under Sections 302/34, 377, 120 B of the Indian Penal Code, 4 of the Protection of Children from Sexual Offences Act and 3(ii)(v) of the Scheduled Castes and the Schedules Tribes (Prevention of Atrocities) Act. It would further show that said chargesheeted accused has already surrendered before the court on 07.01.2017 and was remanded to judicial custody.



8. Since the police have already taken steps to complete the investigation and the investigation had also been completed as against one of the accused persons Ram Pravesh Chaudhary and further investigation against others was going on at the time of filing of the counter-affidavit on 13.07.2017, it is not known what happened in the ongoing further investigation after the month of July, 2017.

9. In that view of the matter, the application is disposed of with a direction to the police officials that if the investigation has not yet been completed, all possible steps should be taken to complete the investigation of the case expeditiously.

(Ashwani Kumar Singh, J)

kanchan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.08.2019
Transmission Date	09.08.2019

