

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.372 of 2017

Arising Out of PS. Case No.-46 Year-2016 Thana- BRAHMPUR District- Buxar

Indrashan Thakur son of Late Nawjadik Thakur, resident of village- Diya Parmeshwar, P.S.- Krishna Brahm, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Home, Government of Bihar, Patna
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Bihar, Patna.
4. The Deputy Inspector General of Police, Bihar, Patna.
5. The Inspector General of Police, Sasaram Range, Sasaram, Bihar.
6. The Superintendent of Police, Buxar.
7. Sri Kamla Pati Singh, son of not known, Deputy Superintendent of Police (Dy. S.P.) Dumraon, Buxar.
8. Sri Manoj Kumar, son of not known, Dy. S.P. Head Quarter, Buxar.
9. Sri Awalesh Kumar, son of not known, I.O. of Krishna Brahm Police Station, Dumaraon, Buxar.
10. Dr. Grish Kuar, son of not known, Chief Medical Officer, Sub-Division Hospital, Dumraon, Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shree Kant Pandey, Advocate
For the Respondent/s : Mr.Md. N.H Khan, SC-1

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 24-07-2019

Instant case was filed in the month of March, 2017 for issuance of direction to the police to arrest the accused persons of Brahmpur (Krishna Brahm) P.S. Case No.46 of 2016. A counter affidavit was also filed in the month of June, 2017 itself. It is not known what is the present status of the investigation of the case. It is also not known whether the



accused persons have already appeared in the case or not. Even otherwise, arrest is a discretionary power of the police. At the stage of investigation of the case, no direction can be issued in exercise of power conferred under Section 226 of the Constitution of India for arresting the persons named in the FIR.

2. Having regard to the facts noted above of the case, the application of the petitioner cannot be allowed. The same is disposed of, accordingly.

(Ashwani Kumar Singh, J)

Md. S/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	25.07.2019
Transmission Date	25.07.2019

