

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No. 468 of 2019

Arising Out of PS. Case No.-196 Year-2018 Thana- SHASTRINAGAR District- Patna

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Sarjug Das, Son of Late Laxman Das, Resident of Village - Beldari Tola,
Sheikhpura, P.S.- Shastri Nagar, Distt.- Patna.

... .. Petitioner

Versus

1. State of Bihar through Director General of Police, Bihar, Patna
2. The Director General of Police, Bihar, Patna.
3. The Superintendent of Police Patna Sadar, Patna.
4. The Dy. S.P., Sachiwalaya, Patna.
5. The S.H.O., Shastri Nagar P.S., Shastri Nagar, Distt.- Patna. Bihar
6. The Regional Manager, State Bank of India, West of Gandhi Maidan, Patna Bihar
7. The Branch Manager, State Bank of India, J.D. Womens College, P.S. Shastri Nagar, Distt.- Patna.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate
For the Respondent/s : Mr. M. Nasrul Huda Khan, SC-1

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 06-03-2019

In the instant writ petition, the petitioner has prayed for directing the respondents to conclude the investigation of Shastri Nagar P.S. Case No. 196 of 2018 registered on 01.04.2018 under Sections 420 and 379 of the Indian Penal Code.

2. Learned counsel appearing for the petitioner submitted that from the current account of the petitioner with State Bank of India, J.D. Women's College branch under Shastri Nagar Police Station, a sum of Rs. 2,52,000/- was illegally transferred on 31.03.2018. Immediately thereafter, the petitioner informed about



the alleged incident to the officer Incharge of the police station pursuant to which, Shastri Nagar P.S. Case No. 196 of 2018 was registered on 01.04.2018. However, despite lapse of over ten months, neither the defrauded amount could be recovered nor the accused named in the first information report has been arrested nor the investigation has been completed.

3. On the other hand, learned counsel for the State submitted that since the matter is under investigation, it would be not proper for this Court to issue any direction to the respondent nos. 1 to 5.

4. I have heard learned counsel for the parties and perused the first information report as contained in Annexure-1 in the said petition.

5. On perusal of the first information report, I find that one Ranjit Yadav, son of Upendra Yadav has been named in the first information report.

6. An investigation into a cognizable offence is the exclusive domain of the police. However, after institution of the first information report, they are duty bound to investigate the case promptly. They cannot register the first information report and forget about conducting investigation into it. They can not sit tight



over investigation for an indefinite period. A sensitive and committed investigating agency is the need of hour.

7. Saying no more, the writ petition is disposed of with liberty to the petitioner to file a representation before the Senior Superintendent of Police, Patna. In case, such a representation is filed, the Senior Superintendent of Police, Patna shall personally look into the matter and, in case the investigation is still pending, he shall ensure that the investigation is complete without any further delay and a report is submitted under Section 173(2) of the Code of Criminal Procedure before the Court.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.03.2019
Transmission Date	11.03.2019

