

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.807 of 2019

Arising Out of PS. Case No.-162 Year-2018 Thana- SATHI District- West Champaran

Syed Mazhar Alam, Son of Syed Aftab Alam, Resident of Village- Dharampur
Semri, P.S.- Sathi, District- West Champaran.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Director General of Police, Government of Bihar, Patna.
3. The Inspector General of Police, Tirhut Range, Muzaffarpur.
4. The Deputy Inspector General (DIG) of Police, Champaran Range, Bettiah, District- West Champaran.
5. The Superintendent of Police (S.P.) West Champaran at Bettiah.
6. The Deputy Superintendent of Police (S.P.), West Champaran at Bettiah.
7. The Officer Incharge, Sathi Police Station, District- West Champaran.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Zeyaul Hoda, Advocate
For the Respondent/s : Mr. M. Nasrul Huda Khan, SC-1

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 08-05-2019

Heard learned counsel for the petitioner and learned
counsel for the State.

2. This application under Articles 226 and 227 of the Constitution of India has been filed by the petitioner for directing the respondents not to implicate the petitioner in Sathi P.S. Case No.162 of 2018 dated 06.10.2018 registered under Sections 376, 420, 406 and 504 of the Indian Penal Code. The further prayer of



the petitioner is to direct the respondents not to take any coercive steps against the petitioner and not to arrest him.

3. To hold investigation into a cognizable offence is the statutory right of the police. At this stage, the Court has no role to play. The role of the Court would start only after the investigation of the case is completed. In course of investigation, the Court would not start a parallel investigation in order to establish innocence of a person who is suspecting his involvement by the police in the crime. Similarly, it would not be proper for the Court to start monitoring each and every case.

4. In that view of the matter, I see no merit in the prayer of the petitioner. The application is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
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