

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1331 of 2017

In
Criminal Writ Jurisdiction Case No.262 of 2016

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Arbind Kumar Yadav Son of Late Radheshyam Singh Resident of Village-
Udaini Police Station- Gopalpur District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary Govt. Of Bihar, Patna
Namely Sri Anjani Kumar Singh
2. Sri Anjanal Kr. Singh, The Chief Secretary, Government of Bihar, Patna.
3. Sri Chanchal Kumar, The Principal Secretary, Government of Bihar, Patna.
4. Sri P.K. Thakur, The Director General of Police, Government of Bihar, Patna.
5. Sri Sanjay Kumar Agrawal, The District Magistrate, Patna.
6. Sri Mannu Maharaj, The Senior Superintendent of Police, Patna.
7. Smt. Dhurath Sayli Sablaram, The Superintendent of Police, City, East, Patna.
8. Sri Hari Mohan Shukla, The Sub Divisional Police Officer, Patna City, Patna.
9. Sri Abhay Kumar The Station House Officer of Gopalpur Police Station.
10. Sri Ram Sagar Mishra, The Investigating Officer cum Assistant Sub Inspector,
Gopalpur, Police Stati

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Verma
For the Opposite Party/s : Mr.Prabhat Kumar Verma - Aag 3

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 21-02-2019 Having regard to the show cause filed on behalf of

the opposite party no.7, Superintendent of Police (East), Patna

particularly paragraph 7 and 14 are quoted below for ready

reference:-

**That, it is submitted that the deponent
reviewed the case record and found that during
course of investigation charge sheet has already
been submitted against the FIR named accused I.
Pancham Singh 2. Shyam Narayan Singh and 3.
Raushan Kumar against whom the case was**



found to be true while further investigation was continued for arresting of an absconding accused person who was evading from his arrest.

8. That, it is submitted that for attachment of property of absconding FIR named accused Dev Krishna Singh @ Chaggu Singh S/o-Late Khelawan Singh the then I.O. of this case i.e. ASI Ram Sagar Mishra had prayed before the Ld. Court for issuing the warrant u/s 82/83 Cr.P.C. but after his transfer from Gopalpur P.S. the next I.O. of this case i.e. ASI Bajendra Singh did not take further action. Negligence was found on the part of then investigating officer i.e. A.S.I. Bajendra Singh and as a result a departmental proceeding has been ordered to be initiated against the erring Police Officer, besides the City S.P., East, Patna changed the I.O. of this case and handed over the charge of this case to the present Station House Officer and directed to arrest the absconding accused person and/or attach his property.

9. That, it is submitted that the absconding accused Dev Krishna Singh @ Chaggu Singh s/o – Late Khelawan Singh was arrested on 16.7.2017 and forwarded in judicial custody and consequently subsequently Charge Sheet has already been submitted against him.

10. That, investigation of 96/15 has been conducted properly so that no innocent persons were harassed during investigation and



the investigation is concluded now.

11. That, it is relevant to mention here that during meticulous investigation, Gopalpur P.S. Case No. 96/15 has been found to be true against the FIR named accused 1. Pancham Singh 2. Shyam Narayan Singh, and 3. Raushan Kumar and 4. Dev Krishna Singh @ Chaggu Singh s/o- Late Khelawan Singh Charge u/s 341/323/324/307/504/34 IPC and 27 Arms Act.

12. That, since, charge-sheet no.23/16 against accused 1. Pancham Singh, 2. Shyam Narayan Singh and 3. Raushan Kumar was submitted under section 147/148/149/323/307/504/379 IPC and 27 Arms Act, consequently issuing Report-6 cum Final Report, the City S.P., East, Patna directed the I.O. of this case to submit Charge Sheet u/s 341/323/324/307/504/34 IPC and 27 Arms Act accused Dev Krishna Singh @ Chaggu Singh s/o- Late Khelawan Singh and besides this also directed the I.O. of this case to file corrigendum before the Ld. Court regarding above sections. It is submitted that the I.O. of this case has already filed corrigendum before the Ld. Court.

13. That, from the facts as mentioned hereinabove, it is submitted that, since proper and impartial investigation of Gopalpur P.S. Case No.96/15 has already been conducted and concluded and order of Hon'ble Court has already been complied with, therefore instant



contempt application has got no merit.

14. That, allegations of the petitioner made in the paragraph is denied. It is evident from the facts as mentioned in para-1, of the contempt petition proper and impartial investigation has already been conducted & concluded so that no innocent persons were harassed during investigation. Thus, order of Hon'ble Court has already been complied with.

Considering the aforesaid, the Court does not feel persuaded to proceed any further in the present proceeding, accordingly, the present proceeding is dropped. The application stands disposed of. However, liberty shall be available to the petitioner, if he has any grievance to approach before the competent court /forum in accordance with law.

(Anil Kumar Upadhyay, J)

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