

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1206 of 2019

Arising Out of PS. Case No.-69 Year-2017 Thana- INARWA District- West Champaran

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ASHOK SAH @ ASHOK PRASAD S/o Late Dalsingar Sah R/o Village-
Kesariya, P.S.- Shikarpur, Dist- West Champaran.

... .. Petitioner

Versus

1. The State of Bihar, through the principal Secty. Dept. of Home Affairs, State of Bihar Patna
2. The Director General of Police, Bihar, Patna
3. The Inspector General of Police, Muzaffarpur.
4. The Deputy Inspector General of Police, Bettiah, West Champaran.
5. The Superintendent of Police, West Champaran, Bettiah.
6. The Sub Divisional Police Officer, West Champaran, Bettiah.
7. The Officer in Charge of Inarwa, Police Station in the District of West Champaran.
8. The Investigating Officer of Inarwa, Police Station, West Champaran.
9. Akhilesh Ram S/o Jawahir Ram R/o Village Barwa Parsauni, P.S.- Inarwa, District- West Champaran.

... .. Respondents

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Appearance :

For the Petitioner	: Mr. Bimlesh Kumar Pandey, Advocate
For the Respondent-State:	Mr. M. Nasrul Huda Khan, SC-1

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 26-08-2019

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 respondent-authorities to conclude the investigation



of Inarwa P. S. Case No. 69 of 2017 registered inter alia under Section 307 of the Indian Penal Code.

3. Learned counsel for the petitioner submitted that in the said case, the court issued process under Section 83 of the Code of Criminal Procedure (for short 'CrPC') on 10.05.2018, but till date, accused (respondent no. 9) named in the first information report (for short 'FIR') has not appeared before the court. He contended that the investigation is going on since more than two years and there is no justification for such undue delay in completion of the investigation.

4. Learned counsel for the State submitted that there is no laxity on the part of the police in completion of the investigation. As the accused against whom processes have been issued is absconding, the police report under Section 173(2) of the CrPC has not been filed before the court.

5. Be that as it may, considering the facts and circumstances of the case, the writ petition is disposed of with a direction to the Superintendent of Police, West Champaran, Bettiah to personally look into the matter and take appropriate steps so that the investigation of the case, if not completed, must be completed with due sensitivity and commitment expeditiously.



6. It is made clear that this Court has not expressed any opinion on the merits of the allegations made in the FIR. The report of the police should be based on the outcome of the investigation.

7. Registry is directed to send a copy of the order to the Superintendent of Police concerned.

(Ashwani Kumar Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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