

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1288 of 2019

Arising Out of PS. Case No.-190 Year-2018 Thana- CHERIYA BARIYARPUR District-
Begusarai

=====

RAJEEV KUMAR, Son of Late Satya Narayan Yadav Resident of Sakarbasa,
P.S.- Cheriya Bariyarpur, Distt - Begusarai.

... .. Petitioner

Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna. Bihar
3. The Superintendent of Police, Manjhaul, District Begusarai Bihar
4. The Deputy Superintendent of Police, Manjhaul, District Begusarai. Bihar
5. The Officer-In-Charge, Cheriya Bariyarpur Police Station, District Begusarai. Bihar

... .. Respondents

=====

Appearance :

For the Petitioner : Mr. Surendra Kishore Thakur-Advocate
For the Respondents : Mr. Manish Kumar-GP-4

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

09-09-2019

Defects, as pointed out by the stamp reporter, are ignored.

2. Learned counsel for the petitioner submitted that he is pressing the prayer made in paragraph-1, clause-I of the application only.

3. In clause-I of paragraph-1 of the writ petition, a prayer has been made to direct the investigating agency to expedite the investigation of Cheriya Bariyarpur P. S. Case No.190 of 2018.

4. Learned counsel for the petitioner submitted that



Cheriya Bariyarpur P. S. Case No.190 of 2018 was registered on 05.10.2018 under Section 302 read with Section 34 of the Indian Penal Code against five named accused persons. The prayer for grant of pre-arrest bail of Md. Snaullah, Md. Jiyaullah and Md. Gyasuddin has already been rejected by this Court vide order dated 13.03.2019 but, till date, they have not been apprehended. They are moving freely in the locality and the petitioner apprehends threat to his life at their hands. He has further contended that the prayer for grant of pre-arrest bail of the aforesaid named accused persons was dismissed by this Court on account of the fact that they were declared absconder by the Court.

5. Learned counsel appearing for the State submitted that investigation of the case is going on and, on completion of investigation, the police would submit their report under Section 173(2) of the Cr.P.C. before the Court without any delay.

6. To hold investigation into a cognizable offence is the statutory right of the police. It is settled position in law that at the stage of investigation, the Court has no role to play.

7. Having said so, the writ petition is disposed of with a direction to the petitioner to file representation before the Superintendent of Police, Begusarai, in respect of the grievances



raised in the present application. In case, such a representation is filed, the Superintendent of Police, Begusarai shall be required to look into the matter and take appropriate actions in accordance with law.

(Ashwani Kumar Singh, J)

vikash/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	11.09.2019
Transmission Date	11.09.2019

