

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1264 of 2016

Arising Out of PS. Case No.-162 Year-2014 Thana- SARAI District- Vaishali

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Sita Ram Singh, Son of Late Raghunandan Singh, Resident of Village-Akbar
Malahi P.S.-Sarai District-Vaishali

... .. Petitioner

Versus

1. The State of Bihar.
 2. The Director General of Police, Bihar, Patna.
 3. The Senior Superintendent of Police, Vaishali.
 4. The Officer-in-Charge, Sarai Police Station, District-Vaishali.
 5. Asha Devi W/o Late Bhushan Uday Singh
 6. Prakash Singh, Son in-Law Bhushan Uday Singh
 7. Alok Singh S/o Late Anil Singh
 8. Basant Singh, S/o Late Anil Singh
- Respondent No. 5 to 8 are Resident of Village-Damodarpur, P.S. Sarai,
District-Vaishali

... .. Respondents

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Appearance :

For the Petitioner : Mr. Kunwar Ajit Singh, Advocate

For the Respondents-State: Mr. Prabhat Kumar Verma, AAG-3

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 22-10-2019

Pursuant to the order passed by the Court, the Superintendent of Police, Vaishali is present in person. He has filed second supplementary counter affidavit as directed by the Court. An up-to-date case diary of Sarai P.S. Case No.162 of 2014 has also been produced by him.

2. The petitioner is informant of Sarai P.S. Case No.162 of 2014 registered inter alia under Section 302 of the Indian Penal Code. He has filed this case for issuance of a



direction to the investigating agency to complete the investigation as expeditiously as possible. When the matter was taken up earlier by this Court, it had expressed its dissatisfaction over the manner of investigation and the casual manner in which the counter affidavit and the first supplementary counter affidavit was filed on behalf of respondent no.3.

3. In the second supplementary counter affidavit filed on behalf of respondent no.3, it has been stated that the Superintendent of Police, who has recently been posted at Vaishali, has reviewed the case and issued necessary directions to the investigating officer of the case to comply the same. It is further stated that the conduct of the earlier investigating officer and the present investigating officer namely, Sindheshwar Prasad Singh, S.I. and Harinarayan Choudhary, S.I. was found wanting in all respects and, as such, a departmental proceeding has been initiated against both of them vide Memo Nos.7159 and 7160 dated 18.10.2019. It is also stated the SHO and investigating officer of both the cases has been directed to ensure compliance of each of the directions issued by the Superintendent of Police and the Special Investigating Team.

4. In paragraph 8 of the second supplementary counter affidavit, it is stated that considering the nature of the



case and evidences collected so far, the investigation of the case is likely to be concluded within four months. The Superintendent of Police present before the Court has personally assured that the investigation would be completed within the time frame of four months as stipulated in the affidavit.

5. Since there is no reason to doubt the bona fide of supplementary affidavit and the undertaking given by the Superintendent of Police, Vaishali, the writ petition is disposed of, as the Court would not like to monitor the ongoing investigation of the case.

6. However, before parting, I must record that the Superintendent of Police, Vaishali should personally ensure that the investigation of the case is brought to its logical end with full sensitivity and commitment and after conclusion of the investigation, a report under Section 173(2) of the CrPC be filed before the court within time frame as stipulated in the affidavit.

5. Personal appearance of the Superintendent of Police, Vaishali is dispensed with.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.10.2019
Transmission Date	24.10.2019

