

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.864 of 2018

Arising Out of PS. Case No.-216 Year-2009 Thana- AGAMKUAN District- Patna

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Satish Kumar S/o Sri Ramlal Ram, R/o Village- Jaiki, P.O. Jaiki, P.S.-
Bagodar, District- Giridih Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar through the Senior Superintendent Of Police, Patna
2. The Senior Superintendent of Police, Patna.
3. The City Superintendent of Police, East Patna.
4. The Station Head Officer, Agamkuan Thana, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Naresh Prasad
For the Respondent/s : Mr.Manish Kumar Gp-4

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 01-05-2019 The defect pointed out by the Registry is ignored.

This writ petition under Articles 226 and 227 of the Constitution of India has been filed by the petitioner for directing the respondents to do proper investigation in Agamkuan P.S.Case No. 216 of 2009 registered under Sections 406 and 120-B of the Indian Penal Code.

It is admitted by the learned counsel for the petitioner that in the aforesaid Agamkuan P.S.Case No. 216 of 2009 final report has already been submitted on 21.11.2011.

Learned counsel for the State has submitted that the final report submitted by the police has been accepted by the court of Sub-Divisional Judicial Magistrate, Patna City on



01.06.2012 in presence of the petitioner whereafter the case has been closed and the record has been sent to the record room.

In case the petitioner, who is the informant of the case, was aggrieved by the outcome of the investigation, he may have immediately filed a complaint under Sections 190 and 200 of the Code of Criminal Procedure. Since the order dated 01.06.2012 had been passed in presence of the petitioner, it cannot be said that he had no knowledge of the order. After lapse of more than 7 years since the date of acceptance of the final form submitted by the police, the prayer made by the petitioner to issue a direction to the respondents to investigate the case properly is totally misconceived.

The application is devoid of any merit. It is dismissed, accordingly.

(Ashwani Kumar Singh, J)

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