

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1577 of 2019

Arising Out of PS. Case No.-123 Year-2019 Thana- THawe District- Gopalganj

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AJEET KUMAR SHRIVASTAW Son of Late Mankeshwar Prasad Srivastava
@ Monkeshwar Prasad Resident of Village-Goplamath, P.S.-Thawe, District-
Gopalganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE DIRECTOR GENERAL OF
POLICE BIHAR, PATNA Patna
2. The Inspector General of Police, Muzaffarpur, Bihar
3. The Deputy Inspector General of Police, Saran, Chapra.
4. The District Magistrate, Gopalganj. Gopalganj
5. The Superintendent of Police, Gopalganj
6. The Sub-Divisional Police Officer, Gopalganj.
7. The Sub Divisional Police Officer, Gopalganj. Gopalganj.
8. The Officer-In-Charge, Thawe Police Station Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ranjan Kumar Srivastava Aishwarya Nand Kumar
For the Respondent/s	:	Mr. Iqbal Asif Niazi, AC to GP 5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

19-11-2019 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present writ petition has been filed “*to issue an appropriate writ/writs, order/orders, direction/directions in the nature of mandamus for commanding/directing the respondents to make proper investigation and to arrest the accused persons of Thawe P.S.Case No. 123/2019, registered under Section 302/34 of the I.P.C. who committed murder of the son of the*



petitioner.”

3. It is submitted that pursuant to institution of Thawe P.S.Case No. 123 of 2019, registered under Section 302/34 IPC, the police started investigation of the case, but however such investigation is not proceeding in a faithful manner and as such has approached the court of learned Chief Judicial Magistrate, Gopalganj with a petition dated 21.08.2019 which has been forwarded on 23.08.2019 to the I.O. for needful.

4. Learned counsel for the State on the other hand, submits that the FIR itself has been instituted on 23.07.2019 and in undue haste the petitioner has sought to exhaust his remedy before various authorities such as Director General of Police, Bihar, S.D.P.O., Gopalganj, Superintendent of Police, Gopalganj and Deputy Inspector General of Police, Saran at Chapra, soon after filing the petition before the learned C.J.M., Gopalganj as aforesaid. It is submitted that proper investigation is being carried on by the police.

5. This Court is of the view that the court has adequate power to monitor the investigation by the police under Section 156 (3) Cr. P.C. The petitioner has already filed a petition dated 21.08.2019. which has been forwarded to the I.O. on 23.08.2019 (Annexure-2 series).



6. In the above circumstances, this Court is not inclined to interfere in the matter in its extra-ordinary writ jurisdiction. The writ petition stands disposed of as above.

(Vikash Jain, J)

HR/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	21. 11.2019
Transmission Date	21. 11.2019

