

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2551 of 2018

Arising Out of PS. Case No.-568 Year-2017 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Pramod Kumar Tiwary @ Pramod Tiwari son of late Jyotindra Prasad Tiwary
Resident of Mohalla-Tilkamanjhi, Bank Colony P.S. Tilkamanjhi Distt.-
Bhagalpur

... .. Petitioner

Versus

1. The State Of Bihar Through Director General Of Police, Bihar, Patna
2. The Director General of Police, Old Secretariat Building, Bihar, Patna
3. The Inspector General of Police, Bhagalpur Zonal.
4. The D.I.G. Bhagalpur Range
5. The S.S.P. Bhagalpur District
6. The Dy. S.P. Headquarter H.Q Ist Bhagalpur District
7. Investigating Officer, Sri Basukinath Yadav S.I. and A.S.I. Rajiv Ranjan Kumar of Barari Police Sta
8. S.H.O. Barari Police Station, Bhagalpur
9. The Adminstrator, Bihar State Raj Transport Corporation B.S.R.T.C., Pariwahan Bhawan Birchand Patel Path, Patna.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Mrityunjay Kumar
For the Respondents : Mr.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 29-07-2019 This application under Article 226 of the Constitution of India has been filed by the petitioner for directing the respondents to investigate Bhagalpur Kotwali P.S. (Barari) Case No. 568 of 2017 registered under Sections 409 and 420 read with 34 of the Indian Penal Code effectively and properly.

At the outset, it is conceded by the learned counsel for the petitioner that after filing the present application the



investigation has been completed and a report under Section 173(2) of the Code of Criminal Procedure has been submitted before the jurisdictional Magistrate. He submitted that the police have submitted final report holding lack of evidence.

In view of the subsequent developments, which took place after filing of the present writ petition, the instant application has become infructuous. Once a report under Section 173(2) of the Code of Criminal Procedure is submitted before the court of Magistrate, it is for the Magistrate concerned to apply his mind and pass order in accordance with law.

The application is dismissed.

(Ashwani Kumar Singh, J)

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