

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Writ Jurisdiction Case No.852 of 2017**

Arising Out of PS. Case No.-111 Year-2015 Thana- RAJIVNAGAR District- Patna

Arun Kumar son of late Ram lakhan Sharma resident of 5/6, North S.K. Puri,  
Shri Krishnapuri, Patna-800013

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director General of Police, Bihar, Old Secretariat, Patna-800015.
3. The Inspector General of Police, Patna Zone, Police Office, Patna-800001
4. The Deputy Inspector General of Police, Central Range, Police Office,  
Patna-800001
5. The Senior Superintendent of Police, Patna-800001
6. The City Superintendent of Police, Central, Patna-800001.
7. The Deputy Superintendent of Police, Law and Order, Kotwali Police  
Station Campus, Patna-800001.
8. The Inspector of Police, Dumra Circle, Patna-800014.
9. The Station House Officer, Rajeev Nagar Police Station, Patna-800025.
10. Shri Anil Kumar Mishra father's name not known, New Police Lines,  
Lodipur, Patna-800001.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar  
For the Respondent/s : Mr.Lalit Kishorepaag1

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL JUDGMENT**

**Date : 10-01-2020**

Heard the parties.

The petitioner has filed the instant application seeking a  
direction upon the respondents for conducting proper



investigation in Rajiv Nagar P.S. Case no 111 of 2015 registered on 10.05.2015. He claims to be the Secretary of a Housing Cooperative Society.

The case of the petitioner is that 3000 Sq. ft of land was owned by the Society, upon which, there was an incomplete three storied house. Some unauthorized persons have forcibly trespassed and captured the same.

The FIR of the petitioner apparently seeks eviction of the occupants of the incomplete three storied house by police force. Alleging that the Respondent no.10 was handed over investigation of the petitioner's FIR, it is further alleged that though he has been suspended since then, after his suspension he has not handed over charge of the case to the Station house Officer (for short 'SHO'), and as such, investigation is suffering.

Counter affidavit has been filed on behalf of the State. It is their specific stand that the then Investigating Officer had handed over charge of the investigation in Rajiv Nagar P.S. Case no 111 of 2015 to the SHO Rajiv Nagar Police Station on 28.8.2017. One Sub Inspector of Police has, thereafter, been given charge of investigation in the case which he has assumed on 18.11.2017 and the investigation is going on. The facts stated



in the Counter affidavit have not been denied or disputed by filing any rejoinder. The circumstances leave no room for this Court to issue any orders/ directions exercising jurisdiction under Section 482 of the Code.

The application is dismissed.

**(Madhuresh Prasad, J)**

shyambihari/-

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