

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.125 of 2020

Arising Out of PS. Case No.-126 Year-2018 Thana- BIBHUTIPUR District- Samastipur

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BABU PRASAD MAHTO Son of Fuchan Mahto Resident of Village-Surauli,
Police Station-Bibhutipur, District-Samastipur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH PRINCIPAL SECRETARY, HOME DEPARTMENT, GOVERNMENT OF BIHAR, PATNA
2. The D.G.P., Government of Bihar, Patna. Patna.
3. The D.I.G., Government of Bihar, Patna. Patna.
4. The District Magistrate, Samastipur. Samastipur.
5. The Civil Surgeon, Samastipur. Samastipur.
6. The Primary Health Centre Bibhutipur Rosera, District-Samastipur. Samastipur.
7. The S.P. Samastipur. Samastipur.
8. S.H.O. Bibhutipur (Rosera) District-Samastipur. Samastipur.
9. Investigating Officer, Bibhutipur P.S. case No.126/2018 Rosera District-Samastipur. Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr.Md. Nadim Seraj

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-02-2020 No one appears for the petitioner.

Although from the prayer portion of the writ application it appears that the petitioner has moved this Court seeking a writ in the nature of mandamus directing the respondents to conduct proper investigation, in fact the investigation in this case has been completed and from his own statement made in paragraph 4 of the writ application it appears



that the charge-sheet no.11 of 2019 dated 01.01.2019 has been submitted in the court below. Now, in fact the petitioner is challenging the investigation made by the police. Petitioner is an accused in the said case.

In the given facts and circumstances of the case the respondent State is correct in submitting that in case the petitioner has any grievance with the investigation, he would have taken recourse to remedy available to him in the court below under the Code of Criminal Procedure itself. At this stage, this Court has no reason and material to direct further investigation in this case when no such material has been brought to the notice of the police officials or the court below at the time of taking cognizance.

This Court finds no reason to proceed with this writ application. It is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

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