

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.46 of 2020

Arising Out of PS. Case No.-26 Year-2017 Thana- KALER District- Jehanabad

Rajiv Kumar Son of Jawahar Lal Resident of Village - Durgapur, P.S.- Kaler,
Distt - Arwal, Bihar.

... .. Petitioner

Versus

1. The State Of Bihar Through The Director General Of Police Bihar, Patna
2. The Superintendent of Police, Arwal, Bihar.
3. The Station House, Officer, Kaler, District - Arwal, Bihar.
4. M.D Bihar State Food Corporation Patna, Bihar

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.Vikermdeo Singh, Advocate Mr. Praveen Kumar, Advocate
For the State	:	Mr.Ajay Kumar, A.C. to G.P.-4
For the BSFC	:	Mrs. Namrata Mishra, Advocate Ms. Archana Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 04-02-2020 The grievance of the petitioner who is an accused in Kaler P.S. Case No. 26 of 2017 under Section 406, 420, 409/34 of the Indian Penal Code is that though the case is two and half years old, till date police has not completed the investigation as a result whereof the petitioner is being deprived of his right to get speedy justice which has been recognized as a constitutional right of the petitioner.

Learned counsel for the Bihar State Food and Civil Supplies Corporation as well as learned counsel for the State are present. It is their submission that in the given facts and circumstances of the case an appropriate direction may be



issued to the concerned respondent to complete the investigation and submit a police final form/report in accordance with law in the court of learned Judicial Magistrate.

Having heard learned counsel for the parties and on perusal of the records, this Court finds that the grievance of the petitioner that investigation of the case is pending for two and half years is a genuine grievance. Because the Cr.P.C. does not provide for maximum period of investigation, it does not mean that the Investigating Officer shall keep the investigation pending for years and years together. This kind of situation must be avoided and for this reason, this Court directs the Superintendent of Police, Arwal, Bihar (respondent no. 2) to supervise this case at his own level and ensure completion of investigation and submission of a police final form/report in accordance with law in the court below within a period of 90 days from the date of receipt/production of a copy of this order.

This application is disposed of accordingly.

(Rajeev Ranjan Prasad, J)

arvind/vats

U		T	
---	--	---	--

