

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.587 of 2021

Arising Out of PS. Case No.-6 Year-2017 Thana- MAHNAR District- Vaishali

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DIPAK KUMAR, S/O PRAMOD SAH R/O VILLAGE-ASRAFPUR
SUPAUL, P.S-PATORI, DISTRICT-SAMASTIPUR.

... .. Petitioner/s

Versus

1. THE UNION OF INDIA THROUGH ITS SR. I.O., DIRECTORATE OF REVENUE, INTELLIGENCE, REGIONAL UNIT PATNA PATNA.
2. THE STATE OF BIHAR THROUGH DIRECTOR GENERAL OF POLICE, BIHAR, PATNA. PATNA.
3. THE SUPERINTENDENT OF POLICE, VAISHALI. VAISHALI.
4. ABHAY KUMAR, S.H.O., MAHNAR P.S., DISTRICT-VAISHALI. VAISHALI.
5. ALOK KUMAR, INVESTIGATING OFFICER, MAHNAR P.S., DISTRICT-VAISHALI. VAISHALI.
6. UMESH RAI S/O KAMESHWAR RAI R/O VILLAGE-MAHIPUR, P.S.-JANDAHA, DISTRICT-VAISHALI.
7. MINTU SINGH S/O LATE MADAN SINGH R/O VILLAGE AND P.O-VASUDEOPUR CHANDEL, P.S-MAHNAR, DISTRICT-VAISHALI.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Gopal Bohra
For the Respondent/s	:	Mr. K.N.Singh (A.D.S.G)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 26-07-2021 Heard Mr. Rajesh Kumar Singh, learned senior

Advocate for the petitioner and learned counsel for the

Union of India as well as the State.

The petitioner has sought a direction to the

respondents for conducting fair and proper investigation

with respect to the complicity of the petitioner in



connection with Mahnar P. S. Case No. 6 of 2017 which has been instituted for offences under Section 22 and 23 of the Narcotic Drugs and Psychotropic Substances Act, 1985 on the basis of a written report of one Mintu Singh.

The learned counsel for the petitioner has submitted that for no apparent good reason, the gaze of the investigation has been pointed towards the petitioner. The vehicle from which recovery is said to have been made perhaps was a stolen property which later was claimed to have been purchased by a person who is physically challenged. Since the petitioner happens to be the son of the aforesaid person, he is also sought to be implicated in this case.

These are grounds for the petitioner to explain before the investigating agency that he is not concerned with the offence. It is expected of any investigating agency to look into the entire set of facts in a dispassionate manner and in correct perspective and



come to a right conclusion.

Assuming but not admitting the fact that every statement made by the petitioner in this petition is correct, the occasion has not come for this Court to make any interference with respect to the investigation of the case. As noted above, the power to investigate with the police is plenary. No interference can be made in such investigation. In case the petitioner finds that his implication in this case is without any merit, he has other legal avenues to agitate his claim.

However, approaching to this Court at this point of time with a prayer for a direction to the investing agency to conduct the case properly and restrain the police from arresting him, is not justified.

This Court does not find any good ground to pass any positive order except for observing that the investigation of this case ought to proceed on correct lines and all necessary input of facts be taken into account before putting the blame on any person, much



less the petitioner.

With the aforesaid observation / direction, this
petition stands disposed off.

(Ashutosh Kumar, J)

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