

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.54 of 2019

Arising Out of PS. Case No.-40 Year-2018 Thana- JOKIHAT District- Araria

MD. FAIYAZ ALAM @ FAIYAJ, Son of Md. Jawwad Alam @ Jowad Alam
Resident of village Artiya P.S. Jokihat District Araria

... .. Petitioner

Versus

1. The State Of Bihar, Through The Director General Of Police, dgp, Patna, Bihar
2. The Inspector General of Police IG Darbhanga
3. The Deputy Inspector General of Police DIG Purnea
4. The Superintendent of Police, Araria District Araria
5. The Deputy Supeintendent of Police Araria at District Araria
6. The Officer Incharge P.S. Jokihat District Araria
7. The Investigating officer Jokihat P.S. Jokihat District Araria
8. Md. Fazilat Son of Etwari
9. Md. Rahim Son of Fazilat
10. Md. Siddu Son of Fazilat
11. Arbin Wife of Rahim @ Md. Rahim
12. Kishwar Wife of Karim
13. Bizlo Daughter of Wahid @ Md. Wahid
14. Sabbo Daughter of Fazilat
15. Munni Wife of Wahid @ Md. Wahid
16. Tarannum Daughter of Wahid
17. Jantun Wife of Fazilat Respondent No. 8-17 resident of village Artiya, P.S. Jokihat District Araria

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Manish Kumar,Advocate
For the Respondent/s : Mr.Deepak Kumar, AC to GP-4

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-09-2022 The petitioner in the present case is seeking
following reliefs:-

“I. For issuance of appropriate writ/writs,
direction/directions to the respondent no. 1 to 7



arrest the respondent no. 8 to 17 who are accused of Jokihat P.S. Case No. 40 of 2018 for the offence under Sections 448, 341, 323, 324, 307, 379, 354(B), 427, 504/34 ,302 of the Indian Penal Code.

II. For issuance of appropriate writ, direction to the respondent authority, 1 to 7 proper investigate the matter and arrest the accused respondent no. 8 to 17 is accused of murder and 3 persons also received grievous injury but after filed first information report on 16.02.18, but till the date police not concluded the case against the respondent till the date. Investigation is in progress, all the accused freely moved.

III. For any other relief/reliefs be granted to the petitioner who is found entitle in the circumstance of this case.”

A counter affidavit has been filed in this case. It is stated that the injured in this case has died therefore section 302 I.P.C. has already been added in the F.I.R. The case has been investigated and supervised. It has been found true against two named accused(1. Md. Wahid & 2. Babul) and both these accused surrendered in the Court. I.O. has been directed to collect some more evidence on the given points.

On perusal of record it is noticed that against other named accused no material was found to proceed therefore, the Superintendent of Police has directed the I.O. to submit the final



form showing those accused not sent -up for trial.

This Court, therefore, finds that investigation in this case is complete. In case the petitioner has any grievance against the final form submitted by the Investigating Agency, he may seek his remedy against the same in accordance with law, but there is no reason for this Court to pass any order at this stage. One of the reliefs prayed by the petitioner is to conclude the investigation. The investigation is complete, hence this application has become infructuous.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

