

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.895 of 2021

Arising Out of PS. Case No.- Year-0 Thana- District- Patna

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SMT. RAJKUMARI DEVI W/o LATE GHAMANDI MUSAHAR R/o
VILLAGE-PALI MAUSAHARI, P.S-BIHTA, DISTRICT-PATNA.

... .. Petitioner/s

Versus

1. STATE OF BIHAR THROUGH THE PRINCIPAL SECRETARY,
DEPARTMENT OF HOME, GOVT. OF BIHAR, PATNA BIHAR
2. DIRECTOR GENERAL OF POLICE, GOVT. OF BIHAR, PATNA.
PATNA.
3. DISTRICT MAGISTRATE, PATNA DISTRICT, PATNA. PATNA.
4. SENIOR SUPERINTENDENT OF POLICE, PATNA DISTRICT, PATNA.
PATNA.
5. OFFICER IN CHARGE, BIHTA P.S., BIHTA, DISTRICT-PATNA. PATNA.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. K.M. Joseph, Adv.
For the Respondent/s : Mr. M. Nasrul Huda Khan, Adv.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

12 14-02-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner has filed the instant application for directing the respondent-State to register a criminal case under appropriate sections of the Indian Penal Code and section 3 of the SC and ST (Prevention of Atrocities) Act, 1989 against the persons named in the complaint and for other reliefs.

Bereft of unnecessary details it may be stated here that as per the second supplementary counter affidavit filed on behalf of the Senior Superintendent of Police, Patna and the



Officer In charge, Bihta Police Station District Patna it has been stated therein that the F.I.R. being Bihta P.S. Case no.445 of 2022 has been registered on 15.1.2022 under the various sections of the Indian Penal Code as also under section 3 of the SC and ST (Prevention of Atrocities) Act.

It is submitted by learned counsel for the petitioner that the same police officer who had earlier refused to register the F.I.R. has been made Investigating Officer of the case and thus the petitioner may not get a fair investigation.

In the opinion of this Court, with registration of the F.I.R, nothing remains to be decided in the instant application and the same is according disposed of.

With reference to the apprehension raised by the petitioner, the petitioner will always be entitled to raise the same at an appropriate stage before the authority concerned in accordance with law.

(Partha Sarthy, J)

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