

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM THE OFFICIAL CHAMBERS VIA VIDEO APPLICATION)
Criminal Writ Jurisdiction Case No.786 of 2022**

Arising Out of PS. Case No.-33 Year-2015 Thana- BEUR District- Patna

URMILA DEVI Wife of Late Ram Narayan Resident of Mohalla- Chandmari
Road No. 3, P.S.- Kankarbagh, District- Patna

... .. Petitioner

Versus

1. The State of Bihar
2. Director General Of Police, Patna, Bihar
3. Senior Superintendent of Police, Patna, Bihar
4. Superintendent of Police Patna Bihar
5. Dy. S.P , Sachiwalaya Patna Bihar
6. Sunil Kumar Son of Late Shiv Narayan Sah Resident of Vishunpur, Pakri,
P.s- Beur, District - Patna

... .. Respondents

Appearance :

For the Petitioner/s : Ms.Kumari Jyoti, Advocate
For the Respondent/s : Mr.Saroj Kumar Sharma, AC to AAG-3

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 21-10-2022 Learned counsel for the petitioner shall remove all the defects as pointed out by the Stamp Reporter within three weeks from today.

Heard Ms. Kumari Jyoti, learned counsel for the petitioner and Mr. Saroj Kumar Sharma, learned AC to AAG-III for the State.

Petitioner, in the present case, is seeking a direction to the respondents to conduct impartial and fair investigation of Beur P.S. Case No. 33/2015 for the offence under Section 302/376(D)/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that so far



as the present petitioner is concerned, after completion of investigation against her a charge-sheet was filed in the year 2020. It is stated that in the first charge-sheet filed in the year 2020 three persons were charge-sheeted and recently on or about the date of filing of the present application two other persons in respect of whom investigation was kept pending have been charge-sheeted.

From paragraph '13' and '14' of the writ application, it further transpires that in this case after submission of charge-sheet order of cognizance was passed and thereupon the case has been committed to the court of session. In fact there is a specific statement to this effect in paragraph '14' saying that the case has been committed to the court of session on 07.09.2020.

Learned counsel for the petitioner has still insisted that this Court must consider the lacuna in the conduct of investigation of the case. It is submitted that the wife of the informant might have been killed for some other reason.

Learned counsel for the State submits that this writ application seems to be misconceived, because at this stage, when the case has already been committed to the court of session, as stated in paragraph '14' of the writ application, there was no reason for the petitioner to move this Court seeking



proper investigation of the case. The persons against whom the investigation was allegedly pending did not move this Court and further it appears from her own statement that even after taking cognizance the case has further proceeded to the stage of commitment.

Having regard to the entire facts and circumstances of the case and the materials available on the record, this Court finds that this writ application as framed cannot proceed. If the petitioner is aggrieved by the order taking cognizance or for any other subsequent cause of action, she may seek her remedy in appropriate jurisdiction, as may be advised to her.

This Writ Application stands disposed of accordingly.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

