

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1400 of 2021

Arising Out of PS. Case No.-302 Year-2021 Thana- SHRIKRISHNAPURI District- Patna

Capt. Kaushlendra Singh @ Kaushlendra Singh, Son Of Girishnandan Singh,
Resident Of Village + Police Station- Tariani Chhapra, District- Sheohar

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director General Of Police, Bihar, Patna
3. The Inspector General Of Police, Bihar, Patna
4. The Superintendent Of Police, Bihar, Patna
5. The Deputy Superintendent Of Police (Karyalaya Sachiwalaya Thana Parishar), Bihar, Patna.
6. The Station House Officer, Sri Krishnapuri Police Station, Patna, Bihar

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-11-2022 Learned counsel for the petitioner undertakes to
remove the defects within one week.

Mr. Deepak Kumar, learned AC to GP-4 files a
counter affidavit. Let it be taken on the record.

From the information available in the counter
affidavit, it transpires that in the case in question the police has
after investigation submitted a final form.

Learned counsel for the petitioner submits that the
petitioner has not received any notice with regard to filing of the
final form in the learned court below. Many issues have been



raised on behalf of the petitioner to submit that the police has not conducted proper investigation of the case and the investigation has been closed under influence of the accused persons.

Learned counsel submits that since the final form has already been submitted, he may be given liberty not only to oppose the acceptance of final form in the learned court below but also to take other measures such as filing of an appropriate application before the Director General of Police, Bihar and/or in the learned court below under Section 173(8) Cr.P.C. requesting further investigation of the case.

Mr. Deepak Kumar, learned AC to GP-4 submits that the petitioner being informant of the case has his remedies available under the provisions of the Cr.P.C.

Having regard to the facts and circumstances of the case, without going into the merit of the case at this stage, this Court is disposing of the writ application with liberty to the petitioner to pursue his remedies for further investigation before the competent authority by way of a representation before the Director General of Police, Bihar with all supporting materials and/or by filing an application in the learned court below as may be advised to the petitioner.



It goes without saying that before acceptance of final form, the petitioner will have a right to be heard whereupon the learned Chief Judicial Magistrate may pass an appropriate order.

This writ application stands disposed of accordingly.

The certified copy of the order will be made available only after removal of the defects.

(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'.

