

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.900 of 2023

Arising Out of PS. Case No.-188 Year-2022 Thana- AMNAUR District- Saran

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Bir Prasad Singh, Son of Late Chandradev Singh Resident of Village-Shekhpora Dih, PS-Dharahra Kala, PS-Amnaur, Dist-Saran Chhapra, State-Bihar.

... .. Petitioner

Versus

1. The State of Bihar through the Principle Secretary Department of Home Gov. of Bihar, Patna
2. Principle Secretary Department of Home Government of Bihar, Patna
3. Director General of Police, Bihar at Patna
4. Inspector General, Saram Ramge. Saram Chhapra
5. Superintendent of Police, Saran Chhapra
6. Dy. S.P., Saran Chhapra
7. The S.D.P.O. Marhaura, Dist-Saran Chhapra
8. Officer-in-Charge, Amnaur P.S.-Amnaur, Dist-Saran Chhapra
9. Investingating Officer-cum-S.I., Amnaur, P.S.-Amnaur, dist-Saran Chhapra
10. Tez Pratap Singh, Investigating Officer-cum-S.I., Amnaur, PS-Amnaur, Dist-Saran Chhapr

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Satyendra Prasad Singh, Advocate Ms. Alka Singh, Advocate
For the Respondent/s	:	Mr. Suman Kumar Jha, AC to AAG-III

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 04-12-2023 Heard learned counsel for the petitioner and learned A.C. to learned A.A.G.-III for the State.

2. Petitioner in this case is seeking a direction to the Superintendent of Police, Saran at Chhapra and other authorities to properly investigate the matter from all angles and submit an appropriate report in the court of learned jurisdictional Magistrate in connection with Amnaur P.S. Case No. 188 of 2022 registered on 05.07.2022 for the offences under Sections 302, 201 and 34 of

the Indian Penal Code.

3. Learned counsel for the petitioner submits that Amnaur P.S. Case No. 188 of 2022 has been lodged in connection with the killing of the wife of the informant. It is alleged that the dead body of Arti Devi (deceased) was found in the kitchen of accused Shrikant Singh. The petitioner lodged F.I.R. in which he alleged that the accused persons, namely, Sunita Devi, Shrikant Singh, Kameshwar Singh, Abhay Kumar @ Karu, Son of Kameshwar Singh and son-in-law of Kameshwar Singh, namely, Manish Kumar, Khushi Kumari, daughter of Kameshwar Singh are involved in the occurrence. It is submitted that the local police officials have not verified the accusations properly and they have not collected scientific data and there is every possibility that those electronic evidences which could have been collected are now completely unavailable. Appropriate direction has been sought for to the Investigating Officer of the case and the supervising authority to conduct proper investigation of the case.

4. A counter affidavit has been filed on behalf of respondent no.5. It is stated that the case has been duly investigated and it has been found true against accused Sunita Devi and Shrikant Singh, accordingly they were arrested and sent to judicial custody on 06.07.2022 and Charge-sheet No. 200 of 2022 dated 30.09.2022 has been filed. It is submitted that so far as

the rest of the accused are concerned, no incriminating evidence has been found during the course of investigation.

5. Learned counsel for the petitioner submits that from a bare perusal of the report contained in Memo No. 2603 dated 21.11.2023 submitted by the S.D.P.O, Maraura, Saran to the Superintendent of Police, Saran at Chhapra it would appear that the investigation against the other co-accused have been kept pending. It is stated in Annexure-A to the counter affidavit that on rest of the points further investigation is going on.

6. Having regard to the facts and circumstances of the case, this Court directs the Superintendent of Police, Saran at Chhapra to issue appropriate directions to the Investigating Officer of the case and ensure that the investigation of the case is completed from all angles within a reasonable period and preferably within a period of four months from the date of receipt/communication of a copy of this order. The police report shall be submitted in accordance with law in the court of learned jurisdictional Magistrate.

7. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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