

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1066 of 2023

Arising Out of PS. Case No.-632 Year-2021 Thana- PHULWARISHARIF District- Patna

Kotak Mahindra Bank Limited, having its Registered Office at 27 BKC, C 27, G Block, Bandra Kurla Complex, Bandra (E), Mumbai- 400051, and Branch office at Kotak Mahindra Bank Ltd. Ground Floor, Hotel Pratam Inn Main Road, Pethia Bazar, Mahavir Cancer Hospital Road Phulwari Sharif PS-Phulwari Sharif Patna- 801505, Bihar Patna and represented through authorized representative Mr. Manish Kumar Singh Aged about 35 years posted as Deputy Manager

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Home Department, Govt. of Bihar
2. The Director General of Police, Sardar Patel Bhawan, Bihar
3. The Superintendent of Police, Bihar
4. The SHO Phulwarisharif P.S., Patna Bihar
5. The Investigating Officer, Phulwarisharif PS Case No-632 of 2021
6. Anjani Kumar, son of Siddheshwar Sharma, Resident of Naudiha, P.S.-Gauharpur, Gaya-824233.
7. Deo Chandra Singh not given Motors Pvt. Ltd. NH-30 Sabalpur Didarganj Patna City-800009.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Dayanand Singh, Advocate
For the Respondent/s	:	Mr. Anil Kumar, AC to SC-8

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 15-12-2023 From the counter affidavit filed on behalf of the Investigating Agency, it appears that the case has been found true by the ASP, Phulwarisharif as back as in the year 2021 but the Investigating Officer had obtained the warrant of arrest against the named accused on 04.12.2023 only.

2. To this Court, it appears that the Investigating Officer of this case is not taking interest in the matter, his

indifferent attitude towards the investigation and inappropriate action within a reasonable time writs large on the face of the delay in completion of the investigation and consequential action, this Court, therefore, directs the competent authority, SSP, Patna to change the Investigating Officer of the case and depute a competent police officer with integrity, execute warrant of arrest as expeditiously as possible and complete the investigation of the case within a reasonable time.

3. The final police report shall be submitted in the learned jurisdictional court at the earliest and in any case within a period of four months from the date of handing over the investigation to the new Investigating Officer.

4. In case the investigation does not proceed properly, it will be open for the petitioner to approach this Court.

5. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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