

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.982 of 2023

Arising Out of PS. Case No.-358 Year-2022 Thana- MOUZAHDIPUR District- Bhagalpur

Shobha Nath Das @ Shobh Nath Das Son Of Late Hari Das Resident Of
Village- Gurhatta Chowk, Ps- Mojahidpur, Distt- Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Home Secretary, Government Of Bihar,
Patna Bihar
2. The Senior Superintendent Of Police, Bhagalpur Bihar
3. The Investigating Officer Of Mojahidpur Ps Case No. 358/2022, Ps-
Mohahidpur, Distt- Bhagalpur Bihar
4. Sanjay Kumar (Presently Posted As District Education Officer, Bhagalpur)
Son Of Jagdish Sharma Resident Of Village- Harish Chandra Nagar, Ps-
Phulwarisharif , Distt- Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate

For the Respondent/s : Mr.Suman Kumar Jha, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-10-2023 Heard learned counsel for the petitioner and learned
AC to AAG-3 for the State.

2. Petitioner in the present case is seeking a direction to the respondent authorities for conducting a fair and impartial investigation in the matter in connection with Mojahidpur P.S. Case No.358 of 2022 instituted on 17.09.2022 for the offences alleged under Sections 162, 163, 420, 323, 504, 506, 304(II) [wrongly mentioned as 304(B)] of the Indian Penal Code as well as Section 3/10 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. Learned counsel for the petitioner submits that on



the basis of the complaint instituted by the petitioner the present FIR has been lodged but the pace of the investigation is very slow and the I.O. of the case is not taking proper steps in the matter of investigation. The petitioner apprehends that the I.O. is trying to cover up the accused persons.

4. Learned counsel for the State submits that since the case is still under investigation, the petitioner may raise his grievance before the Superintendent of Police, Bhagalpur.

5. Having regard to the facts and circumstances of the case, at this stage, without going into the merit of the case, this Court directs the Senior Superintendent of Police, Bhagalpur (respondent no.2) to look into the grievance of the petitioner, examine the same fairly and ensure that proper and fair investigation be done and a police report is submitted in this regard within a reasonable period.

6. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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