

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1132 of 2023

Arising Out of PS. Case No.-223 Year-2023 Thana- DEHRI TOWN District- Rohtas

1. RAM PRAVESH SINGH Son of Late Ram Dass Singh @ Ram Das Mahto Resident of village - Laxman Bigha, P.S. - Dehri (Indrapuri O.P.), Distt. - Rohtas
2. Prema Devi @ Kanti Devi Wife of Ram Pravesh Singh Resident of village - Laxman Bigha, P.S. - Dehri (Indrapuri O.P.), Distt. - Rohtas
3. Geeta Kumari Wife of Ram Subhag Singh Resident of village - Laxman Bigha, P.S. - Dehri (Indrapuri O.P.), Distt. - Rohtas
4. Pratik Gaurav Son of Ram Pravesh Singh Resident of village - Laxman Bigha, P.S. - Dehri (Indrapuri O.P.), Distt. - Rohtas

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary Department of Home (Police), Bihar, Patna
2. The Director General of Police, Bihar, Patna
3. The Senior Superintendent of Police, Rohtas
4. The SHO, Dehri (Indrapuri O.P.) Police Station, Distt. - Rohtas
5. Shri Ninesh Kumar, A.S.I. cum I.O. of Dehri (Indrapuri O.P.), P.S. case no. 223 of 2023, Rohtas

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Md. Mushtaque Alam, Advocate
For the Respondent/s	:	Mr. Suman Kumar Jha, AC to AAG-III

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-11-2023 Heard learned counsel for the petitioner and learned A.C. to A.A.G.-III for the State.

2. Petitioners in the present writ application are seeking a direction upon the respondents to do proper investigation of Dehri (Indrapuri O.P.) P.S. Case No. 223 of 2023 dated 27.03.2023.

3. Learned counsel for the petitioners submits that the



petitioners have been falsely implicated in this case and the case itself was registered in a mechanical manner only because earlier the petitioner no.2 had lodged Dehri (Indrapuri O.P.) P.S. Case No. 214 of 2023 against the named accused persons. The case against the petitioners has been lodged as a counter blast by one Suneshwari Devi who is the accused in Dehri (Indrapuri O.P.) P.S. Case No. 214 of 2023.

4. Learned counsel for the petitioners submits that the petitioners have provided adequate material to the Investigating Officer to consider and do investigation of the case from different angles, however, the Investigating Officer is not doing proper investigation in the present case and he has not verified documents/materials submitted by the petitioners to prove their innocence.

5. Learned counsel for the State submits that it is the duty of the Investigating Officer to collect all the materials in course of investigation and find out the truth.

6. Having regard to the facts and circumstances of the case and the kind of submissions, this Court directs the Senior Superintendent of Police, Rohtas (respondent no.3) to look into the grievance of the petitioner, consider the same and issue appropriate instruction to the Investigating Officer of the case. If



it is found that the Investigating Officer of the case is not taking interest in the investigation of the case freely and fairly, the respondent no.3 shall consider changing the Investigating Officer of the case. In any case, the respondent no.3 must ensure proper and fair investigation of the case within a reasonable period.

7. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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