

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1740 of 2017

Arising Out of PS. Case No.-147 Year-2016 Thana- DAUDNAGAR District- Aurangabad

Satendra Kumar @ Satindra Kumar, son of Late Hira Lal Prasad, Resident of Village- Patwa Toli, Ward No-16, Police Station- Daudnagar, District- Aurangabad.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, Home Department, Government of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Dy. Inspector General of Police, Magadh Range, Gaya.
5. The District Magistrate, Aurangabad.
6. The Superintendent of Police, Aurangabad.
7. The Dy. Superintendent of Police, Daudnagar, Aurangabad.
8. The Station-House-Officer, Daudnagar Police Station, District- Aurangabad.
9. Sujit Kumar,
10. Ranjit Kumar,

Both son of Naresh Sah, Resident of Village- Daudnagar, Afime Kothi Cinema Hall, Police Station- Daudnagar, District- Aurangabad.

... .. Respondents

Appearance :

For the Petitioner : Mr. Rajiv Ranjan Kr. Pandey, Advocate
For the Respondents : Mr. Sheo Shankar Prasad, SC-8

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

3 23-03-2023

Heard learned counsel for the parties.

In this case, the petitioner is seeking a direction to the respondent no.8 to arrest the accused persons (respondent no.9 and 10) of Daudnagar P.S. Case No.147 of 2016 and protect the petitioner and his family members from the accused persons. The petitioner is also seeking a direction to the respondents to complete the investigation of the case in a fair manner.



In the opinion of this Court, the petitioner can approach the concerned Magistrate Court for redressal of his grievances in view of decision of the Hon'ble Supreme Court in the case of *Sakiri Vasu vs. State of U.P. & Ors.* reported in *AIR 2008 SC 907* wherein it has been held that even if the police has made the investigation or is making the investigation, which the aggrieved person feels is not proper, such a person can approach the Magistrate under Section 156(3) of the Cr.P.C., and if the Magistrate is satisfied, he can order a proper investigation and take other suitable steps and pass such order orders as he thinks necessary for ensuring a proper investigation.

In light of the aforesaid decision of Hon'ble Supreme Court in the case of *Sakiri Vasu vs. State of U.P. (supra)*, this application is disposed of with a liberty to the petitioner to move before the concerned Magistrate Court for redressal of his grievances, as prayed for in this application, by way of filing an appropriate application.

(Sandeep Kumar, J)

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