

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.355 of 2023

Arising Out of PS. Case No.-46 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

Deen Dayal Gupta, S/O Late Bhawani Prasad Gupta @ Bhabani Prasad,
Resident of D- 65/245 Lahatara, Varanasi Cantt. P.S.- Madua Dih, District-
Varanasi, U.P.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Home Department
Govt. Of Bihar, Patna Bihar
2. The Superintendent Of Police, Kaimur At Bhabhua, District Kaimur. Bihar
3. The Dy. S.P. Kaimur, Kaimur At Bhabhua, District- Kaimur Bihar
4. The Sho, Durgawati Police Station, Mohania, Kaimur, District- Kaimur.
Bihar
5. The S.I. Ashok Kumar Singh (the I.O. Of Durgawati P.S. Case No 46/2022)
Durgawati P.S. Dist. Kaimur Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar, Advocate
For the Respondent/s : Mr. Iqbal Asif Niyazi, AC to GP-5

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-02-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner in the present case is seeking the
following reliefs:-

- “(i) For issuing direction to the Respondent Nos.2, 4
and 5 to conclude the investigation fo Durgawati
P.S. Case No.46/2022 dated 06.03.2022 and submit
Final Report U/s 173 of Cr.P.C. as early as possible.
(ii) For direction to the Respondent Nos.2&3 to
show cause the Respondent No.5 as why there is no
progress of investigation and the named accused
persons have not arrested till date and also there is
complaint regarding freely roaming and daring to

threatened the petitioner and his family members of dire consequence.

(iii) For issuing direction to the Supervising Authority of the police within the District, the Respondent Nos.2&3 to consider the Annexure 2 series of the petitioner.

(iv) For issuance of any other writ, order of direction for which petitioner deemed entitled to.”

3. Learned counsel for the petitioner submits that the petitioner has lodged the present FIR against five named accused (learned counsel for the State submits that this is a wrong statement, the FIR is only against two persons. Learned counsel for the petitioner seeks apology for the same.)

4. A counter affidavit has been filed on behalf of the State. On perusal of the counter affidavit, it appears that the case is still under investigation. This Court has been given to understand that one Ashok Kumar, Sub-Inspector of Police, Durgawati police station has taken over the investigation of the case and he will complete the investigation in most professional, unbiased and impartial manner.

5. Having regard to the facts and circumstances of the case, taking note of the stand of the State, the present writ application is being disposed of with a direction to the investigating officer to complete the investigation in a fair and proper manner within a reasonable period preferably within a

period of six months from the date of receipt/production of a
copy of this order.

(Rajeev Ranjan Prasad, J)

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