

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.568 of 2024

Arising Out of PS. Case No.-192 Year-2023 Thana- CHACKMEHSI District- Samastipur

Dhiraj Kumar Son of Indrajeet Mahto Resident of Village- Bakhtiyarpur, P.S.
Chakmehsi, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through Home Secretary Govt. of Bihar, Patna Bihar
2. The Director General of Police, Bihar, Patna Bihar
3. The Deputy Inspector General of Police, Mithila Area, Darbhanga Bihar
4. The Superintendent of Police, Samastipur Bihar
5. The Sub-Divisional Police Officer, Sadar Samastipur District-Samastipur Bihar
6. The Officer In charge, Police Station Chakmehsi, District- Samastipur Bihar
7. The, S.I. Town Police Station Camp Sadar Hospital, namely Vinay Kumar Samastipur Bihar
8. The Investigation Office, Police Station Chakmehsi, District- Samastipur Bihar
9. Gayatri Devi W/o Vinod Sah Resident of Village- Malinagar, Ward No. 9, P.S. Chakmehsi, District-Samastipur

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Nafisu Zoha, Advocate Mr. Deepak Kumar Singh, Advocate
For the Respondent/s	:	Mr. Prabhat Ranjan, AC to PG-6

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

3 26-04-2024 Heard learned advocate for the petitioner and learned
advocate for the State.

2. The instant writ petition is filed by the petitioner
for proper investigation of the case. The petitioner is one of the
accused in connection with Chakmehsi P.S. Case No.192 of
2023 dated 11.10.2023.

3. It is stated by the learned advocate for the petitioner



that on 06.10.2023, one Gayatri Devi, lodged a complaint before the police against one Manjeet Mahto and one Anita Devi. It was alleged that Manjeet Mahto under the instruction of Anita Devi had cut some trees including a Simhal Tree and a Jackfruit tree from the land of the said Gayatri Devi. The police did not registered any case on the basis of complaint on 06.10.2023, on the other hand, police recorded a Fardbeyan of the said Gayatri Devi on 08.10.2023 and sent it to the above mentioned police station and on the basis of the said Fardbeyan, the police registered Chakmehsi P.S. Case No.192 of 2023 dated 11.10.2023 against number of accused persons including the petitioner. The petitioner has prayed for proper investigation of the case on the ground that on the date of occurrence he was not present at the place of occurrence and he was performing his duty in Delhi.

4. On perusal of the materials on record, it appears to this Court that the petitioner could have taken proper step for quashing of the F.I.R. on questions of law without making any such prayer. The petitioner being an accused cannot pray for proper investigation.

5. I am of the considered opinion that the instant writ petition is devoid of any merit. Accordingly, the instant writ



petition is dismissed.

6. However, the petitioner is at liberty to file appropriate writ petition on the same cause of action, if he is so advised.

(Bibek Chaudhuri, J)

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