

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.679 of 2024

Arising Out of PS. Case No.-306 Year-2023 Thana- MITHANPURA District- Muzaffarpur

Satyam Prakash Singh Son Of Late Swayambhoonath Singh Resident Of
Village- Chakbasu, Ward No. 38, Ps- Mithanpura, Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary, Home Dept. Patel Bhawan, Bailey Raod, Patna Bihar
2. Director General Of Police, Home Dept. Patel Bhawan, Bailey Road, Patna Bihar
3. Inspector General Of Police, Tirhut Division, Muzaffarpur Bihar
4. Senior Superintendent Of Police, Muzaffarpur Bihar
5. Officer Incharge Mithanpura Police Station, Dist- Muzaffarpur Bihar
6. Smt. Khushboo Singh Wife Of Anil Kumar @ Pappu Resident Of Village- Malighat, Near Sarswati Mandir, Ps- Mithanpur, Dist- Muzaffarpur
7. Anil Kumar @ Pappu Son Of Umashankar Prasad Gupta Resident Of Village- Malighat, Near Sarswati Mandir, Ps- Mithanpur, Dist- Muzaffarpur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pratap Sharma, Advocate
For the Respondent/s : Mr.S.C.27

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI

ORAL ORDER

2 07-04-2025 On the basis of a complaint lodged by the petitioner against private respondent Nos. 6 & 7, Mithanpura P.S. Case No.306 of 2023 dated 12.07.2023 was registered under Sections 406, 420, 448, 321, 323, 380, 384, 387 & 494 of the Indian Penal Code.

2. It is alleged by the petitioner that during investigation, the petitioner found the Investigating Officer partition and was helping the accused person. The petitioner submitted an application with a prayer to change the



Investigating Officer to the Superintendent of Police of the district but the Superintendent of Police did not take any action against the Investigating Officer. In the meantime, the Investigating Officer submitted an ante-dated report in final form against the private respondents.

3. Having heard the learned counsels for the petitioner and State-Respondents, this Court finds that when a report in final form has already been filed, the investigation is concluded and this Court cannot pass any order for proper investigation.

4. It is ascertained from the submission made by the learned Advocate for the petitioner that he has already filed a protest petition before the learned Jurisdictional Magistrate. The said protest petition is kept for hearing.

5. In view of such circumstances, the instant writ petition is disposed of giving liberty to the petitioner to raise all issues including the issue raised against the Investigating Officer before the learned Jurisdictional Magistrate and the learned Jurisdictional Magistrate shall pass necessary order in accordance with law without being influenced by the order by this Court while disposing of the instant writ petition.

(Bibek Chaudhuri, J)

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