

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1027 of 2021

Arising Out of PS. Case No.-229 Year-2021 Thana- RAJIVNAGAR District- Patna

Pratap Sharma Son Of Sri Janardan Rai Resident Of Nalanda Colony, P.S.-
Rajeev Nagar, District-Patna

... .. Petitioner/s

Versus

1. The State Of Bihar Through Chief Secretary, Government Of Bihar, Old Secretariat, Patna Bihar
2. Principal Secretary, Home Department, Patel Bhawan, Bailey Road, Patna Bihar
3. Director General Of Police, Bihar, Patel Bhawan, Bailey Road, Patna Bihar
4. Senior Superintendent Of Police, Patna Bihar
5. Deputy Superintendent (LAW And Order) Of Police, Patna, District- Patna Bihar
6. Officer Incharge, Rajeev Nagar Police Station, District- Patna Bihar
7. Additional Director General Economic Offence Unit, Baily Raod, Patna Bihar
8. Superintendent Of Police, Economic Offence Unit, Baily Road, Patna Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Pratap Sharma, Advocate
For the EOU	:	Mr. V.N.P. Sinha, Sr. Advocate
		Mr. Vijay Anand, Advocate
For the State	:	Mr. M. Nasrul Huda Khan, SC-1

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

8 09-10-2025 The present writ petition has been preferred by the petitioner seeking appropriate writ or order to the concerned police authorities to arrest the accused persons in Rajeev Nagar P.S. Case No. 229 of 2021 related to cyber crime and the matter has been now transferred to Economic Offence Unit, Baily Road, Patna.

2. Learned counsel for the petitioner submits that the



matter is not being properly investigated and accused persons are not taken into custody for proper investigation.

3. Mr. V.N.P. Sinha, learned Senior counsel is also present on behalf of Economic Offence Unit. He submits that the matter is being properly investigated, however so far the accused has not been arrested but in case need arises, needful steps would be taken.

4. I considered the submissions advanced by both the parties and perused the material on record.

5. Apparently the present writ petition is not maintainable. The petitioner has efficacious remedy by way of moving an application before learned Judicial Magistrate for proper investigation and invoking jurisdiction under Section 156(3) Cr.PC/ 175(3) BNSS. Judicial Magistrate would ensure that proper investigation is done in this case.

6. At this stage, learned counsel for the petitioner also submits that Lap Top and Mobile were submitted by the petitioner/informant to the police during investigation and hence, he is seeking return of the same but till date, these goods have not been returned to the informant. Even for this purpose, the petitioner has efficacious remedy to file appropriate application before learned Judicial Magistrate for return of the



electronic items that he has submitted to the police.

7. Hence, the present writ petition is dismissed with liberty to the petitioner to move appropriate applications before learned Judicial Magistrate for proper investigation as well as return of the electronic items which he has submitted to the police and thereafter, learned Judicial Magistrate would look into the matter and do the needful as per law.

(Jitendra Kumar, J.)

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