IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.943 of 2026

CNR No. BRHC010402392026

Arising out of PS. Case No.-635 Year-2014 Thana- BEGUSARAI TOWN District- Begusarai

==========

Surendra Singh @ Munna @ Surendra Kumar@ Surendra Kumar Singh S/o- Late Jitendra Prasad Singh R/v- Mungeriganj Ward No-32 PS- Begusarai Town Distt- Begusarai

... ... Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Home, Govt. of Bihar, Patna Bihar
2. The Additional Chief Secretary, Department of Home, Govt. of Bihar, Patna Bihar
3. The Deputy Inspector General of Police, Begusarai Range, Begusarai Bihar
4. The Superintendent of Police, Begusarai Bihar
5. The SDPO Sadar, Begusarai Bihar
6. The Station House Officer, Lohiya Nagar, Begusarai Bihar
7. The Station House Officer, Begusarai Town, Begusarai Bihar
8. The Central Bureau of Investigation, Bihar, Patna Bihar

... ... Respondent/s

==========

Appearance :

For the Petitioner/s	:	Mr. Vaidehi Raman Prasad Singh, Advocate Mr. Amresh Kumar, Advocate
For the State	:	Mr. Kamlendra Prasad Singh, AC to GA-7
For the CBI	:	Mr. Sanjay Kumar, SC, CBI

==========

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 29-10-2026 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Central Bureau of Investigation (CBI).

2. The present writ petition has been filed for seeking direction to the respondents for further investigation in connection with Begusarai Town P.S. Case No. 635 of 2014 under the provision of Section 193(9) of BNSS. Petitioner was

WEB COPY

one of the accused persons in the aforesaid case.

3. If the petitioner is seeking further investigation under Section 193(9) BNSS, the remedy was always available to the petitioner while petitioner was one of the accused persons in Begusarai Town P.S. Case No. 635 of 2014 and before he was acquitted. However, while acquitting accused persons, the learned trial Court observed that investigation was completely motivated and investigation was not impartial. In this background, the petitioner is seeking direction to the respondent authorities to further investigate Begusarai P.S. Case No. 635 of 2014.

4. The prayer of the petitioner would avail two counts. First and foremost is the delay which is quite inordinate. The petitioner has approached this Court after twelve years, that too, after the end of the trial. Second aspect of the matter is that petitioner has sought directions to the respondent authorities under Section 193(9) BNSS or this statutory provision prescribes further investigation but from the language of Section 193(9) BNSS what is apparent is that the said provision could only be invoked during the pendency of the trial. Moreover, this statutory provision could be invoked before the Court concerned which may be a magistrial or sessions Court. Father of the

WEB COPY

deceased in Begusarai Town P.S. Case No. 635 of 2014 had earlier approached this Court by filing Cr.W.J.C. 1128 of 2014 seeking inquiry by Central Bureau of Investigation and learned Single Judge after considering the position of law dismissed the writ finding no case to be handed over to the Central Bureau of Investigation as nothing extraordinary was found in the present case. Now, the petitioner who was one of the accused persons has approached this Court only because the petitioner was made accused and suffered agony of trial that would not give any reason to maintain writ petition seeking further investigation in the matter after twelve years of the occurrence.

5. Therefore, on the ground of delay and laches on the part of the petitioner, the present writ petition is not maintainable and the same is dismissed.

(Arun Kumar Jha, J)

Vikash/-

U		T	

WEB COPY