

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2549 of 2024

Arising Out of PS. Case No.-62 Year-2023 Thana- ARA NAWADA District- Bhojpur

Rakshita Singh W/o- Alok Kumar Singh, Resident of Mohalla- Ram Nagri,
Sector 3, Ps- Rajiv Nagar, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Dept. Govt. of Bihar, Patna
2. The Director General of Police, Bihar, Patna
3. The Inspector General of Police, Bihar, Bhojpur
4. The Senior Superintendent of Police, SSP, Bhojpur, Bihar
5. The Superintendent of Police, Town, Bhojpur Bihar
6. The Station House Officer, SHO, Arrah Nawada, Bhojpur, Bihar
7. The Director, Central Bureau of Investigation, Plot No-5B CGO Complex Stadium Lodhi Road New Delhi
8. The ACB Patna, Central Bureau of Investigation, Patna Dr.SK Singh Path of Bailey Road, Patna

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh, Sr. Advocate Mr. Aakash Singh, Advocate Mr. Vipin Kumar Singh, Advocate Ms. Diksha Singh, Advocate
For the State	:	Mr. Braj Bhushan Mishra, AC to AAG-9
For the Intervenor	:	Mr. Sumeet Singh, Advocate Mr. Shivam Singh, Advocate Mr. Kush, Advocate
For the CBI	:	Mr. Sanjay Kumar, SC, CBI

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL JUDGMENT

Date : 07-07-2026

The present writ petition has been preferred by the petitioner being aggrieved by the investigation and charge-sheet being submitted by the police in Ara Nawada P.S. Case No. 62 of 2023, registered for the offence punishable under Sections 302 and 394 of the Indian Penal Code.



2. As per the prayers, the petitioner seeks not only further investigation, but further investigation by the C.B.I. instead of police.

3. However, during the course of hearing, change of investigation agency is not pressed by learned counsel for the petitioner. He is only pressing for further investigation submitting that the said F.I.R. is lodged on account of murder of two persons, namely, Mahendra Prasad Singh and Dr. Pushpa Singh, who were husband and wife and both were retired professors. They were about 70 years of age. They were murdered by use of knife, because as per the postmortem report, deceased- Mahendra Prasad Singh has received 24 incised wounds caused by sharp cutting object and another deceased-Dr. Pushpa Singh has received two incised wounds on the neck caused by sharp cutting object and both the deceased have died due to these ante mortem injuries.

4. He further submits that in this Ara (Nawada) P.S. Case No. 62 of 2023, charge-sheet has been submitted on 18.04.2023 against only one accused namely, Tapan Dey @ Deepak Kumar. But learned counsel for the petitioner submits that given the ante mortem injuries received by the victims, this is not possible that only one person had committed this double



murder in the manner as appears from the postmortem report. It is clear from the facts and circumstances that more than one person were involved, but police has submitted final charge-sheet only against one person closing the investigation. Hence, in the interest of justice, further investigation is required by the police to find out other culprits by proper investigation.

5. Learned counsel for the State has also no objection. Even learned counsel for the informant, who is brother of the victim, also supports for further investigation in this case. However, he further submits that the trial of the chargesheeted accused should be allowed to go on because that trial is at its fag end. Out of 14 prosecution witnesses, 12 witnesses have already been examined and only the petitioner, who is daughter of the victim, is to be examined by the prosecution besides another witness.

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

7. As per the P.M. report, one victim has received 24 incised wounds on the body, whereas other victim has received two incised wounds on her neck. This manner of the commission of the offence shows strong possibility of involvement of more than one culprit in this case.



8. Hence, the closure of the investigation after submission of charge sheet against only one accused does not appear to be just and proper.

9. Hence, the police is directed to undertake further investigation in terms of Section 193(9) of Bharatiya Nagarik Suraksha Sanhita, 2023.

10. However, learned trial Court is directed to proceed with the trial against the accused, namely Tapan Dey @ Deepak Kumar against whom chargesheet has been already submitted and the trial has not only commenced, but it is at its fag end. The petitioner, who is also one of the prosecution witnesses, should appear before the Court for her deposition as and when directed by the trial Court.

11. Accordingly, the present petition stands allowed.

(Jitendra Kumar, J.)

ravishankar/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	06.08.2026
Transmission Date	06.08.2026

