

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3465 of 2015

Arising Out of PS.Case No. -2640 Year- 2012 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Laxman Prasad S/O Late Dinanath Prasad Resident of vill-Kushar
Mathia,P.S-Mahmadpur,Distt.-Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Rinku Devi D/O Jagarnath Prasad Resident of vill-Gangwa,P.S-
Sidhwalia,Distt.-Gopalganj

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. G.S.Gupta(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

8 30-09-2015 The Superintendent of Police, Gopalganj has reported

that the order dated 23-06-2015 passed by this court was never
communicated to Officer-in-charge, Mohiuddin Nagar Police
Station and in this regard, he sought an explanation from the
concerned officer-in-charge, who submitted his explanation,
which has been annexed as Annexure-B to the show cause,
submitted by the Superintendent of Police, Gopalganj.

The learned Sub Divisional Judicial Magistrate,
Gopalganj has reported that the order dated 23-06-2015 was never
put up before him nor the aforesaid order was attached with the
record though the said order was received by the concerned office
clerk on 25-06-2015. It has also been reported that the order sheet

of the concerned record also does not contain the factum of receipt of order dated 23-06-2015 passed by this court. He has further reported that a show cause has already been called for, from the concerned office clerk in this regard.

Learned counsel for the petitioner submits that web copy of order dated 23-06-2015 was produced before the concerned officer-in-charge of Mohiuddin Nagar Police Station at the time of his arrest and again, the same was produced before the learned Sub Divisional Judicial Magistrate, Gopalganj but both the above-said officials did not pay any heed.

However, there is nothing on the record to fortify the above-said contention and therefore, I do not think proper to keep the matter pending.

Accordingly, this petition stands disposed off.

However, learned District and Sessions Judge, Gopalganj is directed to look into the matter and take appropriate steps against the erring office clerk and similarly, the Superintendent of Police, Gopalganj is directed to issue warning to the concerned officer-in-charge of Mohiuddin Nagar Police Station.

(Hemant Kumar Srivastava, J)

A.K.V./-

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