

MOHAN SINGH, SON OF SACHCHIDANAND SINGH, RESIDENT OF VILLAGE
BHAIWAR, POLICE STATION MUFASSIL, DISTRICT BEGUSARAI
.... Petitioner

1. STATE OF BIHAR &
2. VIJAY KUMAR MANDAL, SON OF LATE NAGENDRA NATH MANDAL,
RESIDENT OF VILLAGE MAHESHWARA, MALHARA, POLICE STATION
MOHANPUR, DISTRICT DEOGHAR.

Appearance :

For the Opposite Party/s : Mr. P.Mehta (APP)
Mr. Dr.Shraddhnand Paswan, Advocate
Mr. Pramod Mishra, Advocate
Mr. Nakul Kumar Jamuar, Advocate
Mr. Raghunandan Kumar Singh, Advocate
Mr. Sabal Kumar Jha, Advocate

29 01-07-2015 One Mohan Singh (petitioner) has filed the instant application for cancellation of bail granted to accused Vijay Kumar Mandal, in Begusarai (Mufassil) Police station Case No. 315 of 2006 dated 14.10.2006 u/s 364A IPC, vide order dated 26.7.2007, passed in Cr.Misc.No. 29908 of 2007.

This cancellation petition brings to light manipulations, suppression of vital facts and forgery in the bail petition filed in this Court as well as the annexures appended thereto. As such, this Court vide a detailed order dated

23.5.2008 directed the investigating agency to enquire into the following aspect of the matter:-

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- i. *The persons named as being involved in filing the Cr.Misc.No.29908 of 2007.*
 - ii. *From where the judicial stamps used to be purchased and where the petitions used to be typed, who made necessary correction after stamp report I the said petitions particularly in paragraph 1 and prayer portion.*
 - iii. *Who were the persons involved in purchasing the judicial stamps as well as rubber stamps.*
 - iv. *Who are the other persons connected with these matters.*
 - v. *Who was the person who came with opposite party no.2 Vijay Kumar Mandal and engaged the learned counsel Mr. Shaddhanand Paswan in this cancellation of bail application being Cr.Misc.No. 39891 of 2007.*
 - vi. *How the impugned order dated 4.1.2007 passed in B.A.No.2130 of 2006, which has been annexed in Cr.Misc.No. 29908 of 2007, has been issued and the persons involved in the preparation and issuance of certified copy of the impugned order.*

Pursuant to the direction of this Court, Kotwali Police Station case no. 261 of 2008 dated 5.8.2008 u/s 120B,183,193,420,468,471 & 511 IPC was instituted and police from time to time submitted status report of the investigation. Police Inspector-cum-Officer-in-charge, Kotwali Police Station, Patna vide letter dated 10.2.2015 stated that charge sheet has already been submitted in the case against Vijay Kumar Mandal and Kapildeo Singh @ Kapildeo Mahto and investigation is

kept pending against the other accused persons. Another status report has also been filed by the Officer-in-charge, Kotwali police, Patna on 14.5.2015 with forwarding of the Superintendent of Police, Patna dated 19.5.2015 stating that the investigating officer has already been directed to complete the investigation of the case within a month against the remaining accused by the higher officials.

As charge sheet has already been submitted in Kotwali Police Station case no. 261 of 2008 against Vijay Kumar Mandal and Kapildeo Singh @ Kapildeo Mahto and investigation has been directed to be completed within a month by the higher officials, this Court does not find it necessary to keep the matter pending any further before this Court.

The petition is disposed of with direction to the Superintendent of Police, Patna as well as Police Inspector-cum-Officer-in-charge, Kotwali Police Station, Patna to ensure that the investigation is taken to its logical conclusion at the earliest.

(Samarendra Pratap Singh, J)

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