

IN THE HIGH COURT OF JUDICATURE AT PATNA

OCR. Criminal Miscellaneous (DB) No.7 of 2015

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Munsif Sadar, Purnea, namely, Shri Suvash Chandra Sharma through the learned District and Sessions Judge, Purnea.

.... Petitioner

Versus

1. Shri Girendra Kumar Mandal, Son of Late Kanak Lal Mandal, resident of Village-Pipra, P.S.-Banmankhi, District-Purnea.
2. Shri Sanjay Kumar Singh, Advocate, Son of Late Awadh Narayan Singh, District Bar Association, At and P.O.-Purnea, PIN-854301.
3. The State of Bihar, through the Law Department, Government of Bihar, Patna represented through its Law Secretary.

.... Opposite Parties

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Appearance :

For the Petitioner	: Mr. D.K. Sinha, AAG-2 Mr. Alok Kr. Rahi, AC to AAG-2
For the O.P. No.1	: Mr. Sudhansu Shekhar, Adv. Rajnish Kumar, Adv.
For the O.P. No.2	: Mr. Prakash Srivastava, Adv. Mr. Amit Bhushan, Adv. Mrs. Anu Priyadarshini, Adv.

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

**HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

**(Per: HONOURABLE MR. JUSTICE
CHAKRADHARI SHARAN SINGH)**

12 15-12-2015

The present proceeding for criminal contempt of Court was initiated against the opposite party Nos.1 and 2, on the basis of a *reference* made by the Court of learned Munsif Sadar, Purnea, with an allegation against them of scandalizing the Court proceeding by using unrestrained and intemperate language in an application filed in Miscellaneous (Election) Case No.13 of 2011.

Upon show-cause notices having been issued to the said opposite parties, they have entered into appearance and have filed their replies. Both of them have tendered unqualified apology for their conduct. It has been assured on their behalf that there will be no recurrence of such conduct on their part and they undertake be careful in future.

Opposite party No.2, namely, Sanjay Kumar Singh, an Advocate practicing in Civil Court, Purnea, is present, in this Court, today, in person.

On perusal of materials on record, there can be no room for any doubt over the fact that conducts of the opposite parties are reprehensible. However, keeping in view the unconditional and unqualified apology, tendered

by them, we are inclined to close the present proceeding inasmuch as we are satisfied that such apology, tendered by them, is genuine and honest with an element of remorse.

The contempt proceedings stand closed accordingly, but with a note of caution to opposite parties Nos.1 and 2 that recurrence of such misdemeanor on their part shall have very serious consequences.

(I. A. Ansari, ACJ.)

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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