

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12863 of 2015

Arising Out of PS.Case No. -607 Year- 2012 Thana -KHAZANIHAT District- PURNIA

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1. Md. Wasim Raza @ Pinku son of Md. Riyaz, R/o village- Rajabari, P.S.-
K. Hat (Sahayak), District- Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan -Advocate

For the Opposite Party/s : Mr. Amrendra Pd.(APP)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

5 16-10-2015

On previous occasion, on account of absence of learned APP as well as communication at the end of Superintendent of Police, Purnia with regard to compliance of order dated 25.06.2015, Superintendent of Police, Purnia, accordingly, was directed to be physically present with a show-cause vide order dated 07.10.2015 and in pursuance thereof, Superintendent of Police, Purnia is physically present along with a show-cause. After perusal of para-3 of the show-cause, it is evident that the witnesses have already been examined, after statement of accused, hearing argument judgment had already been pronounced on 01.10.2015.

That being so, the instant petition becomes infructuous and is, accordingly, held so.

Had there been sincerity at the end of Superintendent

of Police, Purnia in communicating the Court at the right juncture, no such kind of order directing him to physically appear would have been passed. Therefore, the Superintendent of Police, Purnia should be sensitive in getting the order of the High Court duly complied with at an earliest and be accordingly, communicated.

However, the show-cause is accepted and physical presence of Superintendent of Police, Purnia is hereby exonerated.

(Aditya Kumar Trivedi, J)

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