

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3673 of 2014

In
Cr. WJC No.966 of 2013

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Mahavir Verma, son of Kailash Prasad, resident of Mohalla-Kajipura, P.O.
& P.S.- Sasaram, District-Rohtas

.... Petitioners

Versus

1. The State of Bihar through Sri Anjani Kumar Singh, the Chief Secretary, Government of Bihar, Main Secretariat, Patna
2. Sri Amir Subbhani, the Home Commissioner, Govt. of Bihar, Main Secretariat, Patna
3. Sri P.K. Thakur, the Director General of Police, Govt. of Bihar, Patna
4. Sri Sandip Kr. R. Purkatakatti, the District Magistrate, Rohtas at Sasaram
5. Sri Vikas Verman, the Superintendent of Police, Rohtas
6. Sri Nagendra Kr. Singh, the Deputy Superintendent of Police, Sasaram
7. Sri Binod Kumar Singh, the Officer - in - Charge - Cum - S.H.O., Nagar, P.S. Sasaram, District -Rohtas.

.... Opp. Parties

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Appearance :

For the Petitioner : Mr. Dayan Shankar Prasad, Advocate
For the State : Mr. Devendra Kr Sinha, AAG-2

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

5 11-03-2015 Heard learned counsel for the petitioner and learned
Additional Advocate General No.2 for the State.

The petitioner prays for initiating a proceeding for contempt against the opposite parties for wilful disobedience of the order dated 03.02.2014 passed in Cr.W.J.C. No.966 of 2013.

The direction in the said case was to the Superintendent of Police, Rohtas (respondent No.5) to conclude the investigation of Sasaram (T) P.S. Case No.1049 of 2012 as

early as possible, in any case within three months from the date of receipt/production of a copy of the said order and submit police report in the court below with liberty to the petitioner to challenge the police report in accordance with law.

When the investigation was not concluded within the aforesaid time frame, the petitioner has now filed the present contempt application. As a matter of fact, the petitioner had also, in the meanwhile, filed another criminal writ, being Cr.W.J.C. No.689 of 2014, which was disposed of as withdrawn with liberty to the petitioner to approach this Court with appropriate application, in future, if so advised, and also to take recourse to such provisions of law as may be permissible.

Learned Additional Advocate General No.2 submits that the opposite parties have tendered unqualified and unconditional apology for the delay in completing the investigation and submitting final report, which has been submitted on 04.02.2015 in the court of the Chief Judicial Magistrate, Sasaram. However, it is submitted that the delay was not deliberate and after making all sincere efforts and unable to trace out the boy, who was gone missing in the year 2001, final report has been filed.

On a consideration of the facts and circumstances of

the case, no ground for proceeding under the contempt jurisdiction is made out.

The contempt application is, accordingly, dismissed.

(Ramesh Kumar Datta, J)

(Anjana Mishra, J)

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