

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.650 of 2016

Arising Out of PS.Case No. -null Year- null Thana -null District- LAKHISARAI

1. Dr. Praveen Sinha @ Praveen Kumar Sinha Son of Late Makeswar Prasad Sinha Resident of Mohalla : - Pachna Road Kiul Basti, P.S. + District - Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Govt. of Bihar Patna
2. The Director General of Police, Bihar, Patna.
3. The Deputy Inspector General of Police, Munger Zone, Munger.
4. The Inspector General of Police, Bhagalpur.
5. The Superintendent of Police, Lakhisarai.
6. The Dy. Superintendent of Police, Lakhisarai.
7. The S.H.O., Lakhisarai Police Station, Lakhisarai.
8. The Director General of Police, C.I.D., Bihar, Patna.
9. The D.I.G., C.I.D., Bhagalpur/Munger.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar Sinha, Sr. Adv.
Mr. Ambika Bhagat, Adv.
Mr. Kamal Kumar Sinha, Adv.
For the State Respondent/s: Mr. Rakesh Prabhat, AC to SC-21
For the Informant : Mr. P.K. Sahi, Sr. Adv.
Mr. Amit Narayan, Adv.
Mr. D.S.P. Sinha, Adv.

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 14-09-2016

Heard Mr. Devendra Kumar Sinha, learned Senior Counsel, appearing on behalf of the petitioner, and Mr. Rakesh Prabhat, Assistant Counsel to learned Standing Counsel No.21, appearing on behalf of the State-respondents. Heard also Mr. P.K. Sahi, learned Senior Counsel, appearing on behalf of the informant.

Having regard to the fact that it is not the case of the

petitioner, who is an accused in Sessions Trial No.25 of 2015/31 of 2016 (arising out of Lakhisarai P.S. Case No.443 of 2014), pending in the Court of learned Additional Sessions Judge-III, Lakhisarai, that the trial has been proceeding against him without any incriminating material. If the incriminating materials are deficient, the petitioner, as an accused, will be entitled to the benefit thereof and, hence, in such a situation, no direction for re-investigation of the case aforementioned is called for.

In view of the above and in the interest of justice, this application is dismissed with liberty given to the petitioner to approach this Court with appropriate application, in future, if the situation so warrants, and/or take recourse to such provisions of law as may be permissible.

(I.A. Ansari, CJ)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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