

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 24557 of 2013

Arising Out of PS.Case No. -2 Year- 2012 Thana -SC/ST District- BHAGALPUR

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Kripa Narayan Singh S/O Late Baijnath Singh resident of Mundi Tekari,
P.S.- Mohania, Distt.- Kaimur at present posted as GM-cum-Chief
Engineer, Mithila Electric Area, Lalbagh, Distt/Town – Darbhanga.

.... Petitioner

Versus

1. The State of Bihar
2. Permanand Bihari S/O Sri Ram Swarup Das the then Deputy Director
(Personnel), office of the Electric Supply Area, Bhagalpur at present posted
as Deputy Director (Personnel) in the office of Gaya Electric Supply Area,
Gaya, Distt./Town – Gaya.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Prakash Kumar, Adv.
For the Opposite Party/s : Mr. Panchanan Pandit (App)
Mr. Sunil Kumar
Mr. Ashutosh Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 29-03-2016 Heard Sri Prakash Kumar, learned counsel for the
petitioner, Sri Panchanan Pandit, learned Addl. Public Prosecutor
as well as Sri Sunil Kumar, learned counsel, who was assisted by
Sri Ashutosh Kumar, learned counsel for the informant.

The present petition was filed with a prayer to quash
an order dated 30-06-2012 passed by learned Chief Judicial
Magistrate, Bhagalpur in SC/ST P.S. Case No. 02 of 2012 for
offence under Section 504 of the Indian Penal Code and section
3(1)(x) of the Scheduled Castes and the Scheduled Tribes
(Prevention of Atrocities) Act, 1989, corresponding to Tr. No. 227

of 2012.

At the very outset, learned counsel for the informant informed that after the order of cognizance, subsequent development has taken place. He submits that trial has already commenced and during trial, out of five charge-sheeted witnesses, three have already been examined, whereas, learned counsel for the petitioner submits that the last witness was examined more than one year ago and thereafter, the informant is not taking any interest to participate in the proceeding. He further submits that the complainant was holding a high post as Deputy Director in the office of Electric Supply Area, Bhagalpur and the petitioner was also posted as G.M.-cum-Chief Engineer, Mithila Electric Area, Bhagalpur. He submits that due to some personal grudge, a false case was lodged.

However, the Court is of the opinion that since trial is going on, this Court may not examine the veracity of the order impugned and as such, I do not find any ground to interfere with the impugned order. However, keeping in view the fact that trial has already commenced and the case is of the year 2012, while disposing of the present petition, it is desirable to direct the trial court to take steps so that trial may come to its logical end not beyond two months from the date of receipt/production of a copy

of this order.

The petition stands disposed of.

(Rakesh Kumar, J.)

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