

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51570 of 2015

Arising Out of PS.Case No. -190 Year- 1998 Thana -SULTANGANJ District- PATNA

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1. Arun Kumar son of Late Parmeshwar Singh resident of village - Gomhar,
Police Station - Ekangarsarai, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh-5, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 08-12-2016 The petitioner is an accused in Sultanganj P.S. Case No. 190 of 1998 registered for the offence punishable under Section 409 of the Indian Penal Code. He seeks quashing of the entire criminal prosecution mainly on the ground of delay. It transpires from the records that the petitioner had filed an application for anticipatory bail being Criminal Miscellaneous No. 32003 of 2002, which was dismissed on 13.03.2003. There is nothing on record that the petitioner surrendered thereafter before the court. This is an admitted fact that till date the Police have not submitted Police report. A counter affidavit has been filed in this case on behalf of the Officer-in-charge of Sultanganj Police Station from which it transpires that the petitioner had been throughout evading arrest.



The grounds, taken in this application, are not such on the basis of which, the criminal prosecution should be quashed in exercise of power under Section 482 of the Code of Criminal Procedure.

This application is, however, disposed of with a direction to the City Superintendent of Police, Patna to ensure that investigation is completed and Police report is submitted expeditiously preferably within a period of three months from today.

This application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

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