

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34610 of 2013

Arising Out of PS.Case No. -1064 Year- 2011 Thana -SASARAM MUFFSIL District- SASARAM (ROHTAS)

1. Akhileshwar Prasad Singh S/O Sri Parsuram Singh Resident Of Village + P.O. Karma, P.S. Karakat, District Rohtas.

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Ranjan Pandey

For the Opposite Party/s : Mr. D.P.Tiwary(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 15-03-2016 Heard learned Counsel for the petitioner and the learned Additional Public Prosecutor for the State.

This application has been filed for quashing of the First Information Report of Sasaram Mufassil Police Station Case No. 1064 of 2011, registered under Sections 353 and 307/34 of the Indian Penal Code and Sections 3/4 of the Explosive Substances Act.

After having perused the First Information Report, I am not satisfied with the submission that in exercise of power under Section 482 of the Code of Criminal Procedure, the First Information Report itself needs to be quashed.

Learned Counsel for the petitioner, however, submitted that the First Information Report was instituted

in the year 2011 and, till date, the Police have not submitted their report under Section 173 of the Code of Criminal Procedure.

If the submission, to this effect made by learned Counsel for the petitioner, is correct, the inaction on the part of the Investigating Officer is certainly deplorable.

This application is disposed of, in such circumstance, with a direction to the Superintendent of Police, Rohtas (Sasaram) to ensure that the investigation is brought to a logical end and a report, under Section 173 of the Code of Criminal Procedure, is filed within a period of two months from the date of receipt/production of a copy of this order before him.

It goes without saying that the Investigating Officer shall consider any representation filed by the petitioner to support his case of innocence, which is said to be pending with the Superintendent of Police, Rohtas (Sasaram).

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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