

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6 of 2014

Arising Out of PS.Case No. -57 Year- 2006 Thana -AKBARPUR District- NAWADA

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Neetu Devi @ Neetu Singh Wife of Pappu Singh Resident of Village -
Narhat, P.S.- Narhat, District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar
2. Md. Naseem, officer-in-charge, Akbarpur, P.S. Akbarpur, Distt.
Nawada.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Seema Singh

For the Opposite Party/s : Mr. M.K.Khare(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5. 29-07-2016 Yesterday, when case was called out, a prayer for adjournment was made on behalf of petitioner and the case was adjourned. Today at 2:15 P.M., when the case was taken up, a prayer was made for adjourning the case for few case and the case was fixed for 3:30 P.M. When at 3:30 P.M., the case was again called, again a prayer was made for adjourning the case. The prayer for adjournment stands refused.

The petitioner has approached this Court invoking its inherent jurisdiction under Section 482 of the Code of Criminal Procedure, with a prayer to quash an order dated 22-04-2013 passed in Akbarpur P.S. Case No. 57 of 2006, G.R. Case No. 642 of 2006 registered for the offence under Sections 25(1-B)a/26 of

the Arms Act, 1959. By the said order, the petition for discharge filed on behalf of petitioner has been rejected.

Sri M.K.Khare, learned Addl. Public Prosecutor submits that in this case, after investigation, police had submitted chargesheet and at the stage of charge, a petition for discharge was filed, which has been rejected by the learned Magistrate. He submits that while considering the discharge petition, the learned Magistrate had examined case diary and by referring to certain paragraphs of the case diary, he has rejected the same. According to learned Addl. Public Prosecutor, there is no apparent error warranting interference.

Besides hearing, I have also perused the material on record. In the F.I.R., there is allegation against the petitioner that she was a candidate in the Panchayat election and she had given her own rifle to one of the co-accused for looting booth. The said person was arrested with rifle of the petitioner, which was loaded with carbine, having five cartridges.

I do not find any apparent error warranting interference.

The petition stands dismissed.

Keeping in view the fact that F.I.R. was lodged in the year 2006 itself, while dismissing, it is desirable to observe that

learned court below may take appropriate steps so that the case
may come to its logical end without unnecessary delay.

(Rakesh Kumar, J.)

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