

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.923 of 2016

Arising Out of PS.Case No. -1110 Year- 2011 Thana -Tilauthu District- SASARAM (ROHTAS)

Krishna Ji Paswan, son of late Lakhan Paswan, Resident of Village-Bharkuriya, P.S. Navi Nagar, District -Aurangabad At present residing at Payhari Aashram Namely Anand Kutir Dham, Tilauthu, PS-Tilauthu, District-Rohtas

.... Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Government of Bihar, Patna
2. The Superintendent of Police, Rohtas
3. Sudama Ji, son of Sri Ram Jay Singh, Resident of Village-Sanaura, PS-Tilauthu, District-Rohtas, At present Sevaith of Payhari Ji Aashram namely Anand Kutir Dham Tilauthu, PS-Tilauthu, District-Rohtas

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Md. Naseem Mukhtar, Advocate.

For the Respondent/s : Mr. Md. N.H. Khan, Advocate.

Mrs. Babita Kumari, A.C. to S.C. 1

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

ORAL JUDGMENT

Date: 22-09-2016

Heard learned counsel for the parties.

2. The petitioner is the informant on whose information Tilauthu P.S. Case No. 1110 of 2011 was instituted. On completion of the investigation, charge-sheet was submitted on 29th of February, 2012.

3. Though the Court has taken cognizance for the offences under Sections 341, 323 and 325 of the Indian Penal Code but, as per the petitioner, no substantive progress has been made and the matter is being adjourned either on an application filed by the accused under Section 205 Cr.P.C. or for supply of the police papers.

4. A perusal of the interim orders passed by the trial court shows total apathy in conduct of the proceedings. The proceedings have been taken in a most casual manner without ensuring substantive progress in the matter.

5. In view of the said fact, the learned trial court is directed to ensure that the copies of the police papers are supplied to the accused and if any substantive document has not been supplied, the Court shall ensure that the same are supplied after getting the Photostat copies to the accused. Personal presence of the accused shall not be dispensed with at the asking. The learned Trial Magistrate will ensure the presence of the accused and will take substantive proceedings for conclusion of the trial at an early date.

6. With the said direction, the writ application stands disposed of.

(Hemant Gupta, J)

P.K.P.

AFR/NAFR	N.A.F.R.
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