

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43677 of 2014

Arising Out of PS.Case No. -224 Year- 2014 Thana -GANDHIMAIDAN District- PATNA

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1. Abhimanyu @ Samir Son of Late Harigun Prasad Bhatt, Resident of Rai Tola, Banahara, P.S. - Kharagpur, Distt. - Munger at Present Residing at Langar Toli, Nala Road, P.S. - Kadamkuan, Distt. - Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Garima Sharma D/o Late Madan Lal Sharma, E-123, New Ashok Nagar, Dehli-96.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

13 04-10-2017 Heard Learned counsel for the petitioner; learned APP for the State and learned counsel for the opposite party no.2.

2. Pursuant to order dated 20.9.2017, the Inspector General of Police, Economic Offences Unit, Bihar, Patna is also present. Affidavit has been filed on behalf of the Economic Offences Unit.

3. The endeavour of the Court has consistently been to somehow locate the informant of Gandhi Maidan P.S. Case No. 224 of 2014 i.e., Garima Sharma. The stand of the petitioner was that he was ready for a just compromise, but the informant was not willing even to interact with him despite him having tried through various via medias like Facebook.

4. In such background, the Court, with the intention of



getting the matter finally settled between the parties as they were young, had called upon the law enforcing agencies to locate the informant. In such connection, the officer present today has explained to the Court that the initial request by the Economic Offences Unit with regard to the Facebook account of the informant was not accepted due to strict privacy laws and there being a prescribed procedure for the same, for which, the Senior Superintendent of Police, Patna has been asked to follow the procedure for locating the informant. It was also submitted that the account has not been active since March, 2017 and 12 persons have been identified who had interaction on the said Facebook account of the informant and four of them being residents of Patna, their details have also been forwarded to the local police. He further submitted that the details of the place where the informant was working in the years 2014-15 have also been furnished to the local police to further follow up the lead.

5. Learned counsel for the opposite party no.2, who is the father of the informant, submitted that for a long time he has been unable to contact his client as he has shifted his place of residence without leaving any forwarding address.

6. Learned APP submitted that as per the instructions received by him, the local police has followed up the leads given by the Economic Offences Unit and the process of locating the



informant has been set in motion, which may take some time.

7. Having considered the matter in its totality and the fact that the informant and her father seem to be avoiding any contact with either the petitioner or the law enforcing agencies, and even the Court, it can only be presumed that they are not keen to contest or follow up the matter.

8. In such background, it would not be appropriate for the Court to keep the issue pertaining to grant of bail to the petitioner in the present case pending indefinitely.

9. Accordingly, the provisional bail granted to the petitioner on 27.11.2014 stands confirmed. However, the concerned police is directed to keep up with efforts with regard to locating the informant. Further, she shall be at liberty to move before the court concerned as and when the occasion arises.

10. Learned counsel for the petitioner has assured the Court that upon the informant agreeing to a dialogue, he shall also cooperate for finally settling the issue.

11. The matter stands disposed off in the aforesaid terms.

12. The personal appearance of the Officer concerned stands dispensed with.

(Ahsanuddin Amanullah, J)

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