

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31362 of 2013

Arising Out of Complaint Case No. -18 (C) Year- 1986 Thana -DARBHANGA COMPLAINT
CASE District- DARBHANGA

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Manju Jha, wife of Sri Gopal Jha, resident of village Bathai P.S. Manighachhi, Distt Darbhanga

.... Petitioner

Versus

1. The State of Bihar
2. Ram Krishana Jha, son of late Satya Narayan Jha, resident of village Bathai P.S. Manighachhi, Distt Darbhanga.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Durga Nand Jha, Advocate.

For the State : Mr. Sanjay Kumar Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 25-01-2017

Heard learned counsel for the Petitioner and the State.

2. This quashing application has been filed for quashing of the order dated 16.5.2013 passed by the learned Additional Sessions Judge 14, Patna, in Sessions Trial No. 1004 of 2006 by which he has rejected the petition for discharge filed on behalf of the accused persons under Section 227 Cr. P.C.

3. In the instant case a report was called for from the court below which is available on the record. The Additional Sessions Judge-VI, Patna, has mentioned in the report dated 12.5.2016 that charges have already been framed in this case and summons and other process have been issued against the witnesses.



4. The instant case is of the year 1986 and Sessions Trial is of the year 2006. The case is pending in the court of Additional Sessions Judge-VI, Patna, for evidence since long.

5. From the impugned order itself, it appears that now charges have already been framed in this case and the case is posted for evidence. It further appears that the court below after discussing the evidence of the witnesses has found sufficient material to frame charge against the accused persons under Sections 302 and 201 of the Indian Penal Code.

6. In such circumstances, this Court is not inclined to interfere in the impugned order dated 16.5.2013 passed by the learned Additional Sessions Judge 14, Patna, in Sessions Trial No. 1004 of 2006.

7. The court below, is however, directed to make all efforts to conclude the trial as early as possible preferably within a period of six months without giving unnecessary adjournments to any party.

8. Let a copy of this order be communicated to the learned District Judge, Patna, as well as the Senior Superintendent of Police, Patna, who will monitor this case and will ensure that witnesses are made available in the court below on the date fixed for evidence. The court below will also send a report after six months in



the event the case is not disposed off explaining the reason for not concluding the same within time.

9. With aforesaid observation and direction, the application stands disposed off.

(Sanjay Priya, J)

S.Ali/-

AFR/NAFR	NAFR
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