

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21803 of 2014

Arising Out of PS.Case No. -1 Year- 2009 Thana -C.B.I CASE District- PATNA

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Arvind Kumar @ Arvind Kumar Choudhary S/o Sri Mahavir Choudhary R/o Mahavir Villa, Mahavir Lane, Boring Canal Road, P.S. Budha Colony, Dist - Patna, Bihar

.... Petitioner

Versus

The State of Bihar Through Vigilance

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Chitranjan Sinha, Senior Advocate and
Mr. Avinash Kr.Singh, Advocate

For the Opposite Party : Mr. Ramakant Sharma, Senior Advocate and
Mr. Amresh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 09-08-2017

This application has been filed for challenging the order taking cognizance, passed in Special Case No. 2 of 2009 (Vigilance Police station Case No. 01 of 2009, dated 16.01.2009), by the Court of learned Special Judge, Vigilance-I, Patna, Bihar.

After some arguments, learned senior counsel for the petitioner prayed before this Court that since the matter has been lingering for long time, reasonable time may be granted for disposal of the criminal trial without unnecessary delay. In view of the aforesaid submissions made, on the queries made by the Court on 17.07.2017, the learned senior counsel for the Vigilance department submitted that he would seek instruction to place on record the time likely to be taken to conclude the proceedings in the trial court since some witnesses have already been examined. On 20.07.2017 a supplementary counter affidavit has been filed



wherein the Vigilance department placed on record that it is likely to take six months for completing the evidence of prosecution witnesses. From the records, it appears that four prosecution witnesses are yet to be examined.

The case has been on record since January, 2009 i.e., for more than eight years and six months. Learned counsel for the Vigilance submits that specific time if granted to the Vigilance department, it would make endeavor to complete the examination of the prosecution witnesses within the time granted by this Court.

Considering the aforesaid submissions, this Court is of the opinion that as about more than fifteen days have elapsed since filing of the supplementary counter affidavit by the Vigilance department, and if there is no other unavoidable cause for delay, four months will suffice for completion of the examination of prosecution witnesses in the court below. It goes without saying that the leaned court below shall make all endeavour to complete the trial as expeditiously as possible.

In view the aforesaid time limit, this quashing application is disposed of.

(Madhuresh Prasad, J)

Shashi.

AFR/NAFR	
CAV DATE	NA
Uploading Date	11.08.2017
Transmission Date	11.08.2017

