

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51185 of 2014

Arising Out of PS.Case No. -null Year- null Thana -null District- VAISHALI(HAJIPUR)

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1. Ram Bichari Jha, son of late Birar Jha, resident of village-Lakhan Sarai
Birunpur Bardev, PO- Prataptand, PS-Lalganj, Distt.- Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Jagdish Jha, son of Ojhavan Pandey @ Baijhuan Jha, r/o Lakhan Sarai Birunpur
Bardev, PO- Prataptand, PS- Lalganj, Distt.- Vaishali

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 16-11-2017

1. This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 19.11.2014 passed in Criminal Revision No.178 of 2014 by which the learned Sessions Judge, Vaishali at Hajipur, has set aside the order dated 02.06.2014 passed by the Executive Magistrate, Hajipur, in case no.P/61/2009 / Trial No.186 of 2014 (Jagdish Jha Vs. Ram Vichari Jha) in a proceeding under Section 147 Cr. P.C. and has directed the Magistrate to proceed in the case in accordance with law after taking evidence in terms of the provision of Section 147 Cr. P.C. and dispose off the same within six months from the date of receipt of a copy of the order.



2. Having gone through the order impugned, this Court does not find any illegality in the same.

3. Learned Magistrate will dispose off the matter positively within a period of six months from the date of receipt/production of a copy of this order in terms of the order dated 19.11.2014 of the learned Sessions Judge, Vaishali, after taking evidence of both the parties as laid down under the provision of Section 147 (2) Cr. P. C.

4. Learned Magistrate will submit a report to the Sessions Judge, Vaishali, after passing final order in the matter. Thereafter, the Sessions Judge, Vaishali, shall send a report to this Court whether the learned Magistrate has concluded the proceeding within the time as directed by this Court.

5. It is made clear that in the event the Magistrate does not conclude the proceeding within a period of six months, as directed above, appropriate action shall be taken against the Magistrate concerned for negligence and non-compliance of this Court's order.

6. The application is disposed off with the aforesaid direction.

7. Let this order be communicated to the Sessions Judge, Vaishali at Hajipur, as well as Executive Magistrate, Hajipur,



for proper compliance of the order.

(Sanjay Priya, J)

J.Alam/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	24-11-2017
Transmission Date	24-11-2017

