

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.213 of 2017

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Shyam Sunder Singh, son of Late Saryug Singh, Resident of Village-
Hariharpur, P.S. Pupri, District- Sitamarhi, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna.
2. The Superintendent of Police, District Madhubani, Bihar.
3. The Officer in Charge cum Investigating Officer, P.S. Madhubani Town,
District Madhubani.
4. That Officer in Charge, P.S. Pupri, District Sitamarhi, Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan

For the Respondent/s : Mr. Md. Nasrul Huda Khan (SC1)

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 13-04-2017 By order dated 24.03.2015 passed in

Cr.Misc.No.824 of 2013 (Yogendra Singh & Anr. Vs. The State of
Bihar & Ors.), this Court had stayed the further proceeding of
Madhubani Sadar P.S. Case No.372 of 2012. The petitioner is also
an accused in that case as well as one of the petitioners in the
aforesaid Cr.WJC No.824 of 2013.

Submission of the petitioner is that proclamation
under Section 82 Cr.P.C. has been issued against the petitioner on
17.12.2016 even after stay of further proceeding in the case.

Once this Court had stayed the further proceeding of
referred case there is no two views that the proceeding was stayed
against all the accused persons. Therefore, the court below was not



justified in issuing process under Section 82 Cr.P.C. on 17.12.2016. In the circumstances, the petitioner is permitted to bring the aforesaid fact to the notice of the learned court below who shall pass necessary order in accordance with law.

With the aforesaid observation, this writ application stands disposed of.

(Birendra Kumar, J)

Arvind/-

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