

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 51540 of 2014**

Arising Out of PS.Case No. -195 Year- 2014 Thana -WARISALIGANJ District- NAWADA

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Shankar Kumar @ Shankar Sonar S/o Sri Sheo Nandan Prasad, Resident of Village  
-Warisaliganj Main Road, Near Electric Office, P.S. Warisaliganj, District-  
Nawada.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s

:

Mr.

For the CBI

:

Mr. Bipin Kumar Sinha, Advocate

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

**Date: 19-04-2017**

Heard learned counsel for the parties.

2. Pursuant to previous orders, Mr. Rohit Kapoor, Superintendent of Police, Special Crime Branch, C.B.I., Patna is present and submitted that in terms of the directions of the Court, in the preliminary enquiry conducted by the C.B.I., a full fledged investigation appears to be required.

3. In view of the aforesaid, the Registrar General of the Court is directed to lodge a formal complaint with the Superintendent of Police, Special Crime Branch, C.B.I., Patna for registering a formal F.I.R. with regard to the matter which has been already gone into, though cursorily by the C.B.I. Let the same be done within one week from today. Upon the same being done, the Superintendent of Police, Special Crime Branch, C.B.I., Patna shall



initiate proper action after lodging of the F.I.R. He shall have free access to the records of the case, as may be required. If any original is required, excluding the original ordersheet of the Court in the present case, the same shall be given and a copy duly attested by the Registrar General shall be retained in the records of the Court. The C.B.I. shall upon the requirement of such documents being over, return the originals, after matters are taken to their logical conclusion, in accordance with law.

4. Having taken care of one aspect of the matter, the Court has heard learned counsel for the petitioner and Mr. Bhanu Pratap Singh, learned A.P.P. Incharge for the State.

5. The petitioner seeks bail in Warisaliganj P.S. Case No. 195 of 2014 dated 22.09.2014 instituted under Sections 467/468/471/472/414/419/420/34 of the Indian Penal Code and 103/104 of the Trade Marks Act, 1999.

6. Earlier the petition seeking bail was disposed off as withdrawn under order dated 20.11.2014 in Cr. Misc. No. 43963 of 2014.

7. Though, learned counsel for the petitioner has argued the case at length and has also shown to the Court the report of the F.S.L., which may indicate the innocence of the petitioner, but in view of the past conduct of the petitioner and steps taken by the Court for lodging a separate F.I.R., the Court, at this stage, is not



inclined to give indulgence to the petitioner by granting him bail. However, the petitioner being entitled for speedy disposal of the trial, as the process of investigation by the police in the present case i.e., Warisaliganj P.S. Case No. 195 of 2014, having been completed and even the Forensic report having been received, the trial Court is directed to conclude the trial expeditiously and in any case within three months from the date copy of the order is produced before this Court. The Court would observe that if required, the Court may hold calendar trial so that the time limit fixed by the Court is complied with.

8. The application stands disposed off in the aforementioned terms.

9. Liberty is given to the authorities of the C.B.I. to approach this Court for any clarification/modification, if so required.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

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