

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1186 of 2016

Arising Out of PS.Case No. -null Year- null Thana -null District- MUZAFFARPUR

=====

Neha Kumari D/o Umakant Thakur, Resident of Village- Madhaul, P.O.- Susta
Madhopur, P.S.- Kurhni, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar, through the Director General of Police, Bihar, Patna.
2. The Superintendent of Police, Muzaffarpur.
3. The Sub-Divisional Police Officer, Muzaffarpur West, Muzaffarpur.
4. Officer-in-charge, Muzaffarpur West Mahila Police Station, Muzaffarpur.
5. Gautam Kumar Rai S/o Kaushal Kishore Rai, Resident of Village and P.O.- Parsa, P.S.- Hasanpur, District- Samastipur.
6. Kaushal Kishore Rai S/o Late Ram Deo Rai, Resident of Village and P.O.- Parsa, P.S.- Hasanpur, District- Samastipur.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 28-08-2018

This writ application has been preferred seeking a direction to the learned trial court to proceed with the trial of the case being Muzaffarpur West Mahila P.S. Case No.50 of 2015 giving rise to Trial No.4079 of 2016 under Section 498(A)/420 of the Indian Penal Code read with Section 34 of the Dowry Prohibition Act.

2. It has been contended by the learned counsel for the petitioner that the right to speedy justice is a fundamental right of the petitioner and in the nature of the case it would be just and proper to direct the court below to act with some urgency to conclude the trial of the case.



3. Learned counsel for the State is present.

4. Considering the nature of the prayer made in the writ application, this Court is of the considered opinion that the petitioner is right in contending that the right to speedy justice is a fundamental right as has been held by the Apex Court in the case of **Hussainara Khatoon & Anr. vs. Home Secretary, State of Bihar, AIR 1979 SC 1360 = 1979 SCR(3) 169.**

5. The trial court is hereby directed to take up the trial of the case on day to day basis and conclude the same within a period of six months from the date of receipt/production of a copy of this order. The Superintendent of Police, Muzaffarpur and the Public Prosecutor shall not seek unnecessary adjournments in the case and shall ensure presence of all prosecution witnesses including official witnesses on the date fixed.

6. In the nature of the direction issued by this Court, no notice is required to be issued to respondent no.6. This writ application stands disposed of.

(Rajeev Ranjan Prasad, J)

N.H./-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	29-08-2018
Transmission Date	29-08-2018

