

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 49491 of 2018**

Arising Out of PS. Case No.-456 Year-2015 Thana- Civil Line District- Gaya

Md. Irfan, Son of Late Zaheer Khan, resident of Village- Hamzapur, P.S.  
Amas, District- Gaya.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Sheikh Arkan Ahmad

For the Opposite Party/s : Mr. Ahtash Ali Khan

**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**

ORAL ORDER

4. 10-10-2018 In this case, earlier a report was called for, which has been received and kept at flag 'R'. The report dated 27-09-2018 of learned Chief Judicial Magistrate, Gaya, contained in letter no. 1670/2018, suggests that though petitioner is in judicial custody since 13-04-2018, the investigating officer has not submitted chargesheet till date.

After noticing the fact disclosed in the report received from the court below, Mr. Sheikh Arkan Ahmad, learned counsel for the petitioner requests for disposal of the present petition so that petitioner may avail appropriate remedy under Section 167(2) of the Code of Criminal Procedure, 1973.

The prayer is allowed.

The petition stands disposed of with liberty, as indicated above.

**(Rakesh Kumar, J.)**

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