

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39816 of 2015

Arising Out of PS. Case No.-81 Year-2004 Thana- KISHANGANJ District- Kishanganj

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1. Madan Mohan Sinha, S/o Late Sukul Chandra Sinha, R/o Domohana P/s Karandighi Dist. Uatta Dinazpur (West Bengal)
 2. Majahar Ali, S/o Late Abdul Majid, R/o Islampur P/s Pakurh Dist. Pakurh (Jharkhand)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Adv.
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

8 17-01-2018 Heard Sri D.N.Tiwari, learned counsel for the petitioners, learned Addl. Public Prosecutor as well as Sri Bipin Kumar Sinha, learned Standing Counsel for Central Bureau of Investigation.

Two petitioners had earlier approached this Court with a prayer to extend the privilege of bail, in the event of their arrest.

In this case, by order dated 12.10.2015, a Bench of this Court, while adjourning the matter, directed not to take coercive steps against the petitioners. However, subsequently in view of order passed by the learned Special Judge, wherein the Special Judge had observed regarding further investigation as well as in view of certain facts, this Court had directed the Central Bureau



of Investigation to take up investigation in Special Case No.12 of 2004 arising out of Kishanganj P.S. Case No.81 of 2004.

In compliance with the order of this Court, the Central Bureau of Investigation conducted thorough investigation and finally came to conclusion that no specific case was made out and, thereafter, final report was submitted.

In this case, the Central Bureau of Investigation has also filed an affidavit on 8th January,2018, which was sworn by the Dy. Superintendent of Police, Central Bureau of Investigation, who was Investigating Officer of the case. In the affidavit, detailed fact has been corroborated and indicated regarding closure of the case and finally closure report was submitted by the Central Bureau of Investigation, which has also been accepted by learned Special Judge in Special Case No.12 of 2004 by its order dated 10.08.2017.

In view of the fact that after thorough investigation, final report was submitted and learned Special Judge has already accepted the closure report and discharged some of the accused persons, who were already on bail, from liability of their bail bonds, the present petition, which was filed for grant of anticipatory bail, automatically has become infructuous.

Accordingly, there is no need to pass any order. The petition



stands disposed of.

(Rakesh Kumar, J)

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