

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1232 of 2016

Arising Out of PS. Case No.-265 Year-2016 Thana- KHAJEKALA District- Patna

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Hanuman Prasad Gupta Son of Late Ram Das Lal resident of Village - Paliganj, Khatri Mohalla , Police Station - Paliganj, District - Patna and at present residing in A 98 Vaikunthdhan Tenaments Makarpura, Vadodara - 390014, Gujarat.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Patna Bihar.
2. The Director General of Police, Bihar, Patna.
3. The Senior Superintendent of Police, Patna.
4. The City Superintendent of Police (East), Patna - 800004.
5. The Deputy Superintendent of Police (SDPO), Patna City.
6. The Sub Inspector, Mantosh Kumar Investigating Officer, Khajekala Police Station, Patna City, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Parashuram Singh, Advocate
For the Respondent/s : Mr. GA4-Parth Sarthi

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 30-08-2018 Learned counsel for the petitioner submits that during pendency of the writ application investigation has been completed and a charge-sheet has been filed and cognizance has been taken. It is submitted that the petitioner has been summoned after taking cognizance and for that learned counsel for the petitioner will be taking appropriate steps to move this Court under the Code of Criminal Procedure.

In course of argument it has been pointed out that a learned co-ordinate Bench of this Court while considering the prayer of the petitioner's son for grant of anticipatory bail in Cr. Misc. No. 34900 of 2016 had recorded that the wife of this



petitioner has agreed to file appropriate compromise petition in all the cases pending between the parties but unfortunately the wife has not filed any compromise petition and that has resulted in issuance of summons against the petitioner.

In the nature of his submissions, in the opinion of this Court, the petitioner will be at liberty to challenge the order taking cognizance and issuance of summons in accordance with law in an appropriate proceeding. So far as this writ application is concerned, it has become infructuous and it is, accordingly, dismissed.

(Rajeev Ranjan Prasad, J)

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