

**IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8786 of 2017**

Arising Out of PS.Case No. -56 Year- 2016 Thana -KHARIK
District- BHAGALPUR

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Jai Prakash Singh, Son of Chakravarti Singh, Resident of
Mohalla - Cottage Compound, P.S. Tilka Manjhi, District -
Bhagalpur, Currently Posted as Officer - in - Charge, P.S.
Kharik, District - Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 07-05-2018 The petitioner has challenged the order dated
19.12.2016 passed by the learned Additional Chief Judicial
Magistrate, 2nd, Naugachia, Bhagalpur in connection with
Kharik P.S. Case No. 56 of 2016 whereby it has been directed
that till the arrest of the accused persons of this case, the
petitioner, who at the relevant time was the Officer-in-charge
of that Police Station, be fined at the rate of Rs. 1000/- per
day and the amount so paid, be deposited in the account of
the District Legal Services Authority, Bhagalpur.

The learned counsel for the petitioner has submitted
that because of the area being inundated with floods, the
arrests could not be effected for quite some time. However,



all the accused persons, except one, have now been arrested. With respect to the accused person who has not been arrested, processes have been initiated for declaring him an absconder.

The learned counsel has also informed this Court that up till now, Rs. 22,000/- has been collected from the petitioner.

Considering the fact that all other accused persons have been arrested except one, against whom steps have been taken for declaring him an absconder, it is directed that no further fine be collected from the petitioner.

The learned counsel for the petitioner has, however submitted that he shall not ask for the refund of the aforesaid amount which has already been collected from him by way of fine.

It is also clarified that the aforesaid order of the learned Court below shall not be considered to the prejudice to the petitioner in his service career.

With the aforesaid observation, the present petition is disposed of.

(Ashutosh Kumar, J)

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