

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13758 of 2015

Arising Out of PS. Case No.-74 Year-2013 Thana- SALAKHUA District- Saharsa

Md. Naimuddin Son of Md Moiuddin Resident of Village - Pahlam, P.S. -
Salkhua, District - Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha
For the Opposite Party/s : Mr.Bharat Lalapp

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 10-05-2019 This application has been filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing the order dated 05.08.2014 passed in Salkhua P.S. Case No. 74 of 2013 by the learned Chief Judicial Magistrate, Saharsa, whereby he has taken cognizance of the offence punishable under Sections 409 and 420/34 of the Indian Penal Code on the basis of charge-sheet submitted by the police.

I do not consider it to be an appropriate stage for this Court to interfere, exercising power under Section 482 of the Cr.P.C. The order passed by the learned Chief Judicial Magistrate under challenge cannot be said to be either beyond jurisdiction or without any basis. Further, the petitioner has remedy of seeking his discharge at appropriate stage.



Learned counsel for the petitioner states that till date charges have not been framed. Since the criminal case is pending for the last six years, I expect that the Court below shall expedite the processes of supply of police papers and framing of charge expeditiously so as to proceed with the trial.

This application stands dismissed but with the observation as above.

(Chakradhari Sharan Singh, J)

arun/-

U			
---	--	--	--

