

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59061 of 2018

Arising Out of PS. Case No.-46 Year-2017 Thana- BALIGAON District- Vaishali

Kanhai Kumar Singh, Son of Sri Sonelal Singh, Resident of Village-
Pyarepur, P.S.- Baligaon, District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Vikram Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 01-02-2019 It appears from the explanation given by the Additional District & Sessions Judge 1st-cum-Special Judge, Vaishali at Hajipur, namely, Kanhaiya Ram, that he has again failed to peruse the ordersheet of Sessions Trial No.178/18 before sending the report dated 19.01.2019. It is truly shameful that an officer of this rank can indulge in misleading the Court in a matter having grave consequences, especially when he had been asked to give an explanation to this Court for his earlier lapses. It appears that he has also superannuated on 31.01.2019. The action of the concerned officer is fit to be deprecated and must be taken up by the Registry, even though he has superannuated.

Over and above, his lapse with regard to the explanation sent by him, it appears that though the informant



had been examined on the 12th of December, 2018, he has categorically stated that only eight witnesses have been examined and four witnesses, including the I.O. and the informant, are yet to be examined. This is apparently wrong and a mischievous report intended to mislead this Court and defeat the cause of justice and thus is also contemptuous.

Let a copy of this order be placed before the Registrar General for appropriate further action in the matter.

However, I am informed that now only the I.O. and the Doctor are to be examined for concluding the trial.

Accordingly, the court to which the present trial shall be transferred is directed to take appropriate steps in the matter, so as to expedite the trial and dispose of the same, preferably by the 31st of March, 2019.

The prayer for bail is rejected.

(Anjana Mishra, J)

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