

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1106 of 2019

Arising Out of PS. Case No.-780 Year-2017 Thana- BETTIAH CITY District- West
Champaran

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SHOBHA THAKUR @ SHOBHA DEVI wife of Ashok Kumar Thakur
Resident of Village - Ward No.31 Near K.R. School, Baswariya, Shikshak
Nagar, P.S.- Bettiah Town, Dist.- West Champaran.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Home Deptt., Govt. Of Bihar, Patna.
 2. The Inspector General of Police, Bihar Patna.
 3. The Deputy Inspector General of Police, Champaran Range, Bettiah, West Champaran.
 4. The Dist. Magistrate, West Champaran at Bettiah.
 5. The Superintendent of Police , West Champaran at Bettiah.
 6. The Officer Incharge, Bettiah Town Police Station , Dist.- West Champaran.
 7. The Investigating Officer, Bettiah town Police Station Case no 780 of 2017 , Dist.- West Champaran. Bihar
- Respondents

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Appearance :

For the Petitioner : Mr.Sanjay Kumar No 7, Advocate
For the Respondent-State: Mr.Sheo Shankar Prasad, SC-8

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 24-07-2019

It is submitted by the learned counsel for the petitioner that the petitioner had filed an application before the court below in connection with Bettiah Town P. S. Case No. 780 of 2017 on 25.06.2019. She had made a prayer that her immovable properties be not attached in connection with the case, as she has already been granted bail. The application filed on her behalf was also pressed, but the learned Chief Judicial Magistrate, Bettiah did not pass any order on merit and directed that the same be kept on record. Thereafter, she filed another application on 27.06.2019



praying therein that her application be heard on merit. However, the same has also been kept on record. Neither any hearing is being made nor any order is being passed.

2. On perusal of the orders dated 25.06.2019 and 27.06.2019, as contained in Annexure-2 to this petition, prima facie, the submissions made by the learned counsel for the petitioner appears to be correct.

3. Since an application has been filed by the petitioner and she is pressing the same, the court is duty bound to hear and dispose of her application on merit by passing a reasoned order. It cannot sit tight over the application filed in a criminal proceeding.

4. In that view of the matter, the learned Chief Judicial Magistrate is directed to dispose of the aforesaid applications filed by the petitioner on merit by passing a reasoned order within two weeks from today.

5. Let a copy of the order be communicated to the court below forthwith.

6. The writ petition stands disposed of.

(Ashwani Kumar Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.07.2019
Transmission Date	27.07.2019

