

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25523 of 2016**

Arising Out of PS. Case No.-46 Year-2005 Thana- JURAWANPUR District- Vaishali

Prabhanshu Kumar, son of Professor Devnandan Prasad, At- Kuchhari Road  
Bhainsasur, P.S.- Biharsharif, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Jageshwar Devi, D/o Raghunandan Rai, Wife of Prabhanshu Kr., R/o Birpur,  
P.S.- Juravanpur, District- Vaishali.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravindra Griyaghey, Adv.

Mr. Sunil Kumar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

5      23-02-2021                      Heard Mr. Ravindra Griyaghey, learned Advocate  
  
for the petitioner and Mr. Ram Priya Sharan Singh, learned  
  
APP for the State.

This application has been preferred seeking  
quashing of the entire criminal proceeding in connection with  
Jurabanpur P.S. Case No. 46 of 2005, dated 24.07.2005,  
instituted for the offences under Sections 498-A and 494 of  
the Indian Penal Code.

On 05.11.2020, notice was issued to opposite  
party No. 2 by this Court. Simultaneously, a report about



the stage of the case was also called for.

Though notice could not be served because the requisites were not filed but the office notes indicate that *Vakalatnama* had already been filed on behalf of opposite party No. 2 and the same was on record on the date when the notice was issued.

Now, the report dated 08.01.2021 has also been received and is kept at Flag-A.

It appears from the report that a date for final argument in the matter was fixed on 25.06.2015. On 18.05.2016, an application was preferred before the Court below that Cr. Misc. No. 34534 of 2016 was filed before the High Court for quashing of the entire criminal proceeding. Because of the pendency of that application, further proceedings in this case was stayed from 22.11.2017. From 03.02.2018 and onwards, the matter was put up for argument before the Court below. On 17.07.2018, bail bonds of the accused persons was cancelled due to their absence on several dates. The case, therefore, has been fixed for the appearance of accused/Prabhansu Kumar @



Bablu, who is incidentally the petitioner in the present petition.

This application is not maintainable in view of the absence of the petitioner from the proceedings before the Court below.

The bail-bond of the petitioner also appeared to have been cancelled.

However, on the assurance of the learned counsel for the petitioner that he shall participate in the proceedings before the Court below and shall surrender to the process of law, this Court only directs the Trial Court to conclude the proceedings as expeditiously as possible, preferably within a period of three months from the date of the receipt/production of a copy of this order.

With the aforesaid observation/direction, the application stands disposed off.

**(Ashutosh Kumar, J)**

Praveen-II/-

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