

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1875 of 2018

Arising Out of PS. Case No.-72 Year-2005 Thana- BHABHUA District- Kaimur (Bhabua)

Dr. Ram Bilash Singh Son of Late Sukhdeo Singh, Resident of Village-
Mahendrapur, P.S.- Matihani, District- Begusarai. Petitioner
Versus

1. The State Of Bihar, Through The Principal Secretary, Home Department,
Government Of Bihar, Patna
2. The Director General of Police, Bihar, Patna.
3. The Director General of Police, Vigilance Department, Bihar, Patna.
4. The Superintendent of Police-cum-Officer-in-Charge, Vigilance Police
Station, Patna.
5. The Station House Officer, Bhabhua Police Station, Kaimur at Bhabhua.
... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. S.K. Lal, Advocate Mr. Pritish Kumar Lal, Advocate
For the Respondent/s	:	Mr.Md. Nasrul Huda Khan Sc-1
For the Vigilance	:	Nr. Anil Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
CAV JUDGMENT

Date : 18-08-2022

This writ application has been preferred on behalf of the
sole petitioner seeking the following reliefs:-

“(I) An appropriate writ(s)/
order(s)/direction(s) quashing the first information
report of Bhabua P.S. Case No. 72 of 2005 dated
19.03.2005 for offences under Sections 7 & 9 of the
Prevention of Corruption Act, 1988 (in short “the Act,
1988”) giving rise to Special Case No. 04 of 2005 in
the court of Special Judge, South Bihar, Patna.

In alternative for issuance of an appropriate
writ(s)/order(s)/direction(s) terminating the further



investigation in Bhabhua P.S. Case No. 72 of 2005
(Special Case No. 04 of 2005).

(ii) To any other relief(s) to which the
petitioner is found entitled for giving complete justice
to the petitioner.”

2. Brief facts of the case as discussed in the writ
application are as follows:-

3. The petitioner was the Medical Officer at Sadar
Hospital, Bhabhua, Kaimur. On 19.03.2005, the Collector Bhabhua
was informed by one Bharat Singh that for preparing an injury report
the petitioner was demanding a bribe and he has been asked to pay a
sum of Rs.5,000/- by evening in Sadar Hospital Campus. The
complainant Bharat Singh submitted his complaint to the Collector,
Kaimur whereupon the Collector called the Block Development
officer, Bhabhua and deputed him as Magistrate to take action. It is
alleged that the Block Development officer (the informant) together
with Shri Pankaj Das the Officer-Incharge of Bhabhua Police Station
went to Sadar Hospital in civil dress thereafter the trap was
conducted and the petitioner was trapped accepting tainted money
from one Shri Paras Nath Singh. It was the said Paras Nath Singh
who had handed over the money to the petitioner. The tainted money
was recovered from possession of the petitioner, he was arrested on
the spot and the FIR was lodged giving rise to Bhabhua P.S. Case No.
72 of 2005 dated 19.03.2005 under Sections 7/9 of the Act, 1988. At



this stage, the case has been investigated and finally a chargesheet has been submitted in the learned court below during pendency of this application on 24.01.2022.

4. Mr. S.K. Lal, learned counsel for the petitioner has submitted that the First Information Report is fit to be quashed taking into consideration the inordinate and huge delay in completion of investigation. It is submitted that after about 17 years of lodging of the FIR, only after this Court called upon the respondents to show as to why the investigation is not being completed, in a hurry chargesheet has been filed, very recently even as no sanction for prosecution has been granted by the competent authority on the proposal sent by the SDPO as back as on 09.07.2019 vide memo no. 1651. It is submitted that till date cognizance has not been taken by the learned jurisdictional court.

5. Learned counsel submits that the petitioner was earlier suspended from service and he reached his age of superannuation in the year 2019 whereafter the departmental proceeding pending against him was converted in a proceeding under Rule 45(b) of the Bihar Pension Rules in which the punishment for forfeiture of pension (including gratuity) has been imposed depending upon the result of the criminal case. It is his submission that the petitioner has already suffered in his life in many ways, he is almost 70 years of age and at this stage asking him to face the criminal case after 17 years of



lodging of the FIR and 3 years after retirement from service will only be an abuse of the process of court.

6. In the supplementary affidavit filed on or about 05.11.2019 this petitioner has disclosed his age about 67 years showing his date of birth as 07.08.1952. It is stated that on completion of 67 years he has superannuated from service on 31.08.2019.

7. It is his submission that the FIR in the present case may be quashed keeping in view the judgment of the Hon'ble Supreme Court in the case of **Bishwanath Prasad Singh vs. State of Bihar** reported in **1994 Supp. (3) SCC 97**, **Vakil Prasad Singh Vs. State of Bihar** reported in **(2009) 3 SCC 355** and **Mahendra Lal Das Vs. State of Bihar & Ors.** reported in **AIR 2001 SC 2989**.

8. To strengthen his submission learned counsel for the petitioner submits that all the above cited cases relate to a charge of corruption but in the given facts of those cases the Hon'ble Supreme Court found that further continuation of criminal case would only be an abuse of the process of the court.

9. Per-contra, Mr. Anil Singh, learned counsel for the Vigilance Investigation Bureau has argued that in a case of corruption mere delay in submission of the chargesheet is not a good ground to quash the first information report. Learned counsel has



taken this Court through the order dated 17.12.2013 passed in CWJC No. 23538 of 2013 (Ram Bilash Singh Vs. The State of Bihar & Ors.). The said Civil Writ was filed by this petitioner in the matter of the departmental proceeding initiated against him and dealing with the contention of the petitioner learned writ court refused to grant relief to the petitioner. A direction was issued in the said case to the concerned criminal court to ensure that the trial of the petitioner must be expedited and conducted on day-to-day basis.

10. Learned counsel submits that the petitioner had moved the writ court for revocation of his suspension but did not disclose correctly that the investigation in the case was still pending. Despite the observation of the court to expedite the trial, the petitioner only moved this Court only after 5 years of the said observation in the civil writ jurisdiction. It is, thus, his submission that the petitioner having failed to raise his grievance at the earliest opportunity against the delay in completion of investigation cannot be allowed to take benefit of the said delay at this stage when the chargesheet has already been filed.

11. Learned counsel for the State has endorsed the submission of the learned counsel for the Vigilance Investigation Bureau and it is submitted that the police has already submitted chargesheet in this case which is pending consideration in the learned court below.



Consideration

12. Having heard learned counsel for the parties and on perusal of the records, this Court finds that the main contention raised for purpose of quashing of the first information report is the delay in completion of investigation which has resulted in the infringement of fundamental right of the petitioner to get speedy trial. This argument is to be tested on the touch stone of Article 21 of the Constitution of India with reference to the judicial pronouncements on the subject. It is no longer res-integra that right to speedy trial is implicit in broad sweep content of Article 21 of the Constitution of India.

13. The Hon'ble Supreme Court has in the case of **Hussainara Khatoon (I) v. Home Secy., State of Bihar**, reported in **(1980)1 SCC 81** observed thus: "We think that even under our Constitution, though speedy trial is not specifically enumerated as a fundamental right, it is implicit in the broad sweep and content of Article 21 as interpreted by this Court in **Maneka Gandhi v. Union of India [(1978) 1 SCC 248]**. We have held in that case that Article 21 confers a fundamental right on every person not to be deprived of his life or liberty except in accordance with the procedure prescribed by law and it is not enough to constitute compliance with the requirement of that article that some semblance of a procedure should be prescribed by law, but that the procedure should be



“reasonable, fair and just”. If a person is deprived of his liberty under a procedure which is not “reasonable, fair or just”, such deprivation would be violative of his fundamental right under Article 21 and he would be entitled to enforce such fundamental right and secure his release.....”

14. In the case of **Abdul Rehman Antulay v. R. S. Nayak** reported in **(1992) 1 SCC 225** the Constitution Bench of the Apex Court while taking note of the judgment in **Hussainara Khatoon (I)** noticed as follows:-

“The learned Judge, however, posed a question which he left to be answered at a later stage. The question posed was: What is the consequence of denial of this right? Does it necessarily entail the consequence of quashing of charges/trial? That question we shall consider separately but what is of significance is, this decision does establish the following propositions:

(1) Right to speedy trial is implicit in the broad sweep and content of Article 21.

(2) That unless the procedure prescribed by law ensures a speedy trial it cannot be said to be reasonable, fair or just. Expeditious trial and freedom from detention are part of human rights and basic freedoms and that a judicial system which allow incarceration of men and women for long periods of time without trial must be held to be denying human rights to such undertrials.”

15. The **Bishwanath Prasad Singh** (Supra) went to the Hon’ble Supreme Court against the order of the Patna High Court in dismissing the writ petition filed by the appellant-accused seeking to have the criminal proceedings launched against him quashed on the ground of violation of his right to speedy trial. In the said case the



appellant was suspended pending inquiry due to allegation of shortage of fertilizer worth Rs. 1,15,000/- during his posting as Depot Manager under the Bihar State Cooperative Marketing Union at Sitamarhi, he was suspended on 2-7-1977 and later he was dismissed from service and the provident fund and gratuity due to him was also forfeited. The appellant had crossed the age of superannuation when the Special Leave Petition was filed and the investigation remained pending for more than five years but chargesheet had been filed on 09.02.1983 and thereafter, the prosecution evidence was adduced and charges were framed by the court under Sections 408 and 428 of the Indian Penal code and Section 7 of the Essential Commodities Act. In these backgrounds the Hon'ble Supreme Court took note of the fact that there was no explanation coming for the extra ordinary delay of more than five years in completion of investigation. The Hon'ble Apex Court observed: "Maybe, this being a case of misappropriation of public funds, the investigation may have taken a longer time but it cannot certainly take more than five years, having regard to the facts and circumstances of the case." The Apex Court took a view that calling upon the appellant now to enter upon defence, after 16 years is bound to cause prejudice to him.

16. In the case of **Vakil Prasad Singh (supra)** which again went to the Hon'ble Supreme Court from the decision of this



Court, the Hon'ble Supreme Court considered the scope of right to speedy trial enshrined under Article 21 of the Constitution of India in the matter of quashment of the criminal proceeding due to delay even in serious cases. The Apex Court having discussed the case laws on the subject recorded in paragraph "19", "20" and "24" as under:-

"19. The exposition of Article 21 in *Hussainara Khatoon (1) case*⁵ was exhaustively considered afresh by the Constitution Bench in *Abdul Rehman Antulay v. R.S. Nayak*⁶. Referring to a number of decisions of this Court and the American precedents on the Sixth Amendment of their Constitution, making the right to a speedy and public trial a constitutional guarantee, the Court formulated as many as eleven propositions with a note of caution that these were not exhaustive and were meant only to serve as guidelines."

"20. For the sake of brevity, we do not propose to reproduce all the said propositions and it would suffice to note the gist thereof. These are: (*A.R. Antulay case*⁶, SCC pp. 270-73, para 86)

(i) fair, just and reasonable procedure implicit in Article 21 of the Constitution creates a right in the accused to be tried speedily;

(ii) right to speedy trial flowing from Article 21 encompasses all the stages, namely, the stage of investigation, inquiry, trial, appeal, revision and retrial;

(iii) in every case, where the speedy trial is alleged to have been infringed, the first question to be put and answered is — who is responsible for the delay?;

(iv) while determining whether undue delay has occurred (resulting in violation of right to speedy trial) one must have regard to all the attendant circumstances, including nature of offence, number of accused and witnesses, the workload of the court concerned, prevailing local conditions and so on— what is called, the systemic delays;

(v) each and every delay does not necessarily prejudice the accused. Some delays may indeed work to his advantage. However, inordinately long delay may be taken as presumptive proof of prejudice. In this context,

5 [(1980) 1 SCC 81 : 1980 SCC (Cri) 23]

6 [(1992) 1 SCC 225 : 1992 SCC (Cri) 93]



the fact of incarceration of the accused will also be a relevant fact. The prosecution should not be allowed to become a persecution. But when does the prosecution become persecution, again depends upon the facts of a given case;

(vi) ultimately, the court has to balance and weigh several relevant factors—‘balancing test’ or ‘balancing process’—and determine in each case whether the right to speedy trial has been denied;

(vii) ordinarily speaking, where the court comes to a conclusion that right to speedy trial of an accused has been infringed the charges or the conviction, as the case may be, shall be quashed. But this is not the only course open and having regard to the nature of offence and other circumstances when the court feels that quashing of proceedings cannot be in the interest of justice, it is open to the court to make appropriate orders, including fixing the period for completion of trial;

(viii) it is neither advisable nor feasible to prescribe any outer time-limit for conclusion of all criminal proceedings. In every case of complaint of denial of right to speedy trial, it is primarily for the prosecution to justify and explain the delay. At the same time, it is the duty of the court to weigh all the circumstances of a given case before pronouncing upon the complaint;

(ix) an objection based on denial of right to speedy trial and for relief on that account, should first be addressed to the High Court. Even if the High Court entertains such a plea, ordinarily it should not stay the proceedings, except in a case of grave and exceptional nature. Such proceedings in the High Court must, however, be disposed of on a priority basis.”

“24. It is, therefore, well settled that the right to speedy trial in all criminal persecutions (*sic* prosecutions) is an inalienable right under Article 21 of the Constitution. This right is applicable not only to the actual proceedings in court but also includes within its sweep the preceding police investigations as well. The right to speedy trial extends equally to all criminal prosecutions and is not confined to any particular category of cases. In every case, where the right to speedy trial is alleged to have been infringed, the court has to perform the



balancing act upon taking into consideration all the attendant circumstances, enumerated above, and determine in each case whether the right to speedy trial has been denied in a given case.”

(underline is mine)

17. In the case of **Vakil Prasad Singh (supra)** the allegation against the appellant was that of demanding of a sum of Rs. 1000/- as illegal gratification for release for the civil work executed by him and in the trap laid to catch the culprit chemically treated currency notes are said to have been recovered from appellant's pocket. The FIR was lodged on or about 08.04.1981 and the chargesheet was filed on 28.02.1982 whereupon the learned Magistrate took cognizance on 09.12.1982 but thereafter nothing substantial happened till 06.07.1987 except for dismissal of an application filed by the prosecution for re-investigation of the case. This Court vide its order dated 07.12.1990 had quashed the order of the learned Magistrate taking cognizance with a direction to the prosecution to complete the investigation within a period of three months but thereafter no progress was made in the case till the year 1998. Under these circumstances the appellant had moved application under Section 482 Cr.P.C. in the High court seeking quashing of the entire criminal proceeding against him on the ground that the re-investigation in the matter had not been initiated even after a lapse of seven-and-half years. It is only when the matter was called out for final hearing in the High Court after



nine years i.e. on 11.05.2007. The High Court dismissed the petition acknowledging that there had been substantial delay in conclusion of proceedings against the appellant and some prejudice may have been caused to the appellant in his professional career on account of continuance of criminal case against him but the learned Judge concluded that this reason by itself was not sufficient to quash the entire criminal proceedings against him, particularly keeping in view the seriousness of the allegations.

18. In Mahendra Lal Das (supra) the appellant was an Executive Engineer, Public Engineering Department, Mechanical Division, Ranchi. He was being prosecuted for the offence under Sections 5(2) read with Section 5(1)(e) of the Prevention of Corruption Act, 1947 wherein it was alleged that the appellant was in possession of disproportionate assets to the extent of Rs 50,600/-. The FIR was sought to be quashed mainly on the ground that despite expiry of over 12 years, the respondent State had not granted the sanction which amounted to the violation of his right of life and liberty as enshrined in Article 21 of the Constitution of India. The High Court dismissed the petition seeking quashing of the FIR, on the ground that mere delay in granting the sanction has not prejudiced the appellant in any manner particularly when he is



already on anticipatory bail. The Hon'ble Supreme Court held that in this case the prosecution has miserably failed to explain the delay of more than 13 years in granting sanction for prosecution of the appellant and keeping in view the peculiar facts and circumstances of the case, permitting further prosecution would be a travesty of justice and a mere ritual or formality so far as the prosecution agency is concerned, and unnecessary burden as regards the court.

19. In the case of Superintendent of Police, Karnataka Lokayukta and Another versus B. Srinivas reported in **(2008) 8 SCC 580**, the Hon'ble Supreme Court once again observed in paragraph '10' as under:-

“**10.** There is no general and wide proposition of law formulated that whenever there is delay on the part of the investigating agency in completing the investigation, such a delay can be a ground for quashing the FIR. It would be difficult to formulate inflexible guidelines or rigid principles in determining as to whether the accused has been deprived of fair trial on account of delay or protracted investigation; it would depend on various factors including whether such a delay was reasonably long or caused deliberately or intentionally to hamper the defence of the accused or whether the delay was inevitable in the nature of things or whether it was due to dilatory tactics adopted by the accused. It would depend upon certain peculiar facts and circumstances of each case i.e. the volume of evidence collected by the investigating agency, the nature and gravity of the offence for which the accused has been charge-sheeted in a given case. The nexus between whole and some of the above factors is of considerable relevance. Therefore, whether the accused has been deprived of fair trial on account of protracted investigation has to



come on facts. He has also to establish that he had no role in the delay. Every delay does not necessarily occur because of the accused.”

20. What is culled out from the aforementioned judgments of the Hon’ble Apex Court is that the right to speedy trial is an inalienable right under Article 21 of the Constitution and this right is applicable not only to the actual proceedings in court but also includes within its sweep the preceding police investigations as well. It is also not confined to any particular category of cases, this right extends equally to all criminal prosecution.

21. In the light of the order dated 28.07.2022 directing the respondents to file an affidavit showing as to why an appropriate enquiry be not ordered for inordinate delay in conducting investigation of the case and a disciplinary proceeding be not ordered against the erring police officials, the SDPO, Bhabua at Kaimur (respondent no. 2) has filed an affidavit on behalf of the respondent nos. 2 to 4. All that is stated in the counter affidavit on the point of inordinate delay may be found in paragraph ‘12’ of the counter affidavit and this Court finds it significant to produce relevant part of the same as under:-

“12. That due to heavy engagement in official works I, O of thin case (Sri Prahalad Kumar) no further investigation was done by him. After his transfer from Bhabua to Patna as Rail DSP he handed over charges of this very case to the then SDPO Bhabua



Sri Surendra Lai Das but he was I.O. of this case for a short period i.e. 24.09.2005 to 19.12.2005. After his transfer several S.D.P.O. were posted...”

This Court has not incorporated the names of SDPOs and for complete details paragraph ‘12’ of the counter affidavit may be referred to.

22. In subsequent paragraphs of the counter affidavit, it would appear that a plea has been taken that the File/CD of Bhabua P.S. Case No. 75 of 2005 was not produced/put up before the IOs of this case as a result whereof they could not take up the investigation of the case in their hands. The affidavit is, however, silent as regards the procedures to be followed in the matter of placement/put up of the case diary whenever an I.O. of the case is transferred and a new I.O. joins in his place. The proposal for sanction was sent by the I.O. vide Office Memo No. 1651 dated 09.07.2019 to the District Magistrate who sent it to the Principal Secretary to the Department of Health only after about one year vide Memo No. 1176 dated 10.06.2020. The fact remains that till date of retirement (30.09.2019) of the petitioner no sanction for prosecution was given.

23. The counter affidavit filed on behalf of respondent nos. 2 to 4 nowhere suggests that the petitioner has played any role in causing inordinate delay in conclusion of the investigation. This Court would, therefore, have no hesitation in holding that there has



been an inordinate delay in conclusion of the investigation in the present case and the said delay, in the nature of the present case, is totally unwarranted and no reasonable ground explaining the delay could be brought to the notice of this Court.

24. Having reached to the aforementioned conclusion on the point of delay, the next question which arises for consideration in the present case is as to whether the balancing and weighing several relevant factors would lead to a conclusion that the right to speedy trial has been denied to the petitioner.

25. In the present case, the petitioner is said to have been arrested while accepting tainted money. The gravity of the offence alleged against the petitioner may be found from a bare reading of the First Information Report. A disciplinary proceeding was also initiated against him. He was placed under suspension on 30.04.2005. For revoking the said order of suspension, he had moved this Hon'ble Court in CWJC No. 23538 of 2013. The Hon'ble Court issued following directions:-

“In the considered opinion of this Court, the order of the petitioner cannot be revoked for a simple reason that the order of suspension of the petitioner was based on his being made accused in a criminal case and his being taken into custody in relation to taking bribe/illegal gratification. Such criminal case has not been disposed of as yet. If the petitioner was really concerned about his continuation of suspension on account of pendency of the criminal case, he had all the reason to move competent court for a direction for disposal of his criminal case....”



26. The Hon'ble Writ Court proceeded further to direct the concerned criminal court to ensure that the trial of the petitioner must be expedited and conducted on day-to-day basis and if the petitioner cooperates, the trial must be brought to an end within a period of 9 months from the date of receipt of the order.

27. The Hon'ble Writ Court further observed that "so far the pendency of the departmental proceeding is concerned, since the charges against the petitioner has already been served and reply of the petitioner has already been filed, it will be open for the Enquiry Officer to proceed and conclude the departmental proceeding but, a final decision on the same will be taken only after the judgment in the pending criminal case".

28. In further paragraph, the Hon'ble Writ Court directed the Principal Secretary of the Health Department to ensure that the Enquiry Officer in the rank of Secretary or the above of the State Government be appointed who shall get all the materials from the Vigilance Department conducting the criminal prosecution as also get the evidence of the witnesses of the criminal case including its Investigating Officer for concluding the Departmental proceeding against the petitioner. A sincere effort should also be made by the Officials of the Vigilance department to cooperate with the Principal Secretary of the Health Department for ensuring that the



departmental proceeding, relating to charge against the petitioner for taking bribe, is also expedited and concluded preferably within a period of nine months.

29. From the counter affidavit of respondent nos. 2 to 4 it appears that the petitioner was dismissed from service on 04.02.2016 and the petitioner moved this Court in contempt application being MJC No. 2301 of 2017, the learned Coordinate Bench of this Court took a prima-facie view that the order of dismissal of the petitioner was contemptuous because as per the direction of the learned Writ Court the final decision in the departmental proceeding was to be taken only after conclusion of the criminal case. It appears that in the light of the view taken by the learned Coordinate Bench of this Court in the contempt jurisdiction, the respondent authorities withdrew the dismissal order against the petitioner and the contempt application was disposed of with an observation that the authorities are expected that they shall proceed further in accordance with law and in the light of the order passed. Thereafter the petitioner was reinstated in service and over the period he retired on 31.08.2019. Later on, the disciplinary proceeding against the petitioner was converted in a proceeding under Rule 45(b) of the Bihar Pension Rules and the Disciplinary Authority has passed an order for forfeiture of



pensionary benefit of the petitioner but the same will be affected by the decision in the criminal case.

30. From a bare reading of the order of the Hon'ble Writ Court passed as back as of 17.12.2013, it is evident that the learned Writ Court had pointed it out to the petitioner that if the petitioner was really concerned about his continuation of suspension on account of pendency of the criminal case, he had all the reasons to move competent court for a direction for disposal of the criminal case. Despite this observation and the subsequent direction of the learned Writ Court, the petitioner maintained a complete silence and did not move this Court for at least about 5 years thereafter. This writ application has been brought on or about 30.07.2018. This Court cannot loose sight of the directions of the learned Writ Court that the Investigating Officer was also directed to take all sincere efforts to ensure conclusion of the criminal proceeding. As on today a chargesheet has already been filed. On the face of the observations and directions of the learned Writ Court in the writ proceeding which was registered at the instance of this petitioner only, this Court is of the considered opinion that the petitioner cannot be allowed to claim that he has been denied the right to speedy trial. As has been noticed above, the Hon'ble Supreme Court has repeatedly held that no general and wide



proposition of law may be formulated that whenever there is a delay on the part of the Investigating Agency in completing the investigation, such a delay can be a ground for quashing the FIR. There is no inflexible guidelines or rigid principles in determining as to whether the accused has been deprived of fair trial on account of delay or protracted investigation.

31. This Court is, therefore, not persuaded to quash the First Information Report and the chargesheet.

32. The only direction which may be issued at this stage in consonance with the observations and the directions of the learned Writ Court as noticed above is that the learned court below must proceed with the matter expeditiously and conclude the trial as early as possible preferably within a period of 9 months from the date of communication of this order failing which it will be taken as a failure of the prosecution and the consequences thereof may follow.

33. The records as noticed above clearly reveal that the Investigating Agency remained sitting over the matter and after the year 2005 in fact the I.Os. kept on changing their hands but the case diary was not written. The counter affidavit of the SDPO, Kaimur reveals that the case diary was not filed/put up before the IOs. This Court finds that the counter affidavit contains only half-



hearted statements and no plausible reason leading to the huge and inordinate delay in completion of investigation has been placed before this Court. This aspect of the matter requires a proper inquiry and the responsibility must be fixed upon the erring officials.

34. This Court, therefore, directs the Director General of Police, Bihar to look into the matter, examine the same and take appropriate steps in the light of the observations of this Court.

35. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

avin/-

AFR/NAFR	AFR
CAV DATE	16.08.2022
Uploading Date	18.08.2022
Transmission Date	18.08.2022

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

