

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21422 of 2022**

Arising Out of PS. Case No.-104 Year-2018 Thana- RAMGARHWA District- East
Champaran

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NEK MOHAMMAD @ RAJ MOHAMMAD S/o Md. Muslim Mian @
Muslim Miyan R/o village- Auraiya, P.S.- Adapur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sourendra Pandey, Adv.

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

5 24-08-2022 In compliance of the earlier order of this Court dated 10.8.2022, the Superintendent of Police, East Champaran at Motihari is present in the Court and has filed an affidavit in which it has been stated that the erring officials have been suspended and recommendation has been made for initiation of departmental proceeding against the erring police inspector, namely, Rajesh Kumar, however, since the Deputy Inspector General of Police, Special Branch, is the competent authority to grant permission to initiate departmental proceeding, his decision is being awaited. In this regard, this Court directs the Deputy Inspector



General of Police, Special Branch, to accord the necessary permission within two days from today, failing which he shall not draw his salary. Thereafter, the Director General of Police, Bihar, Patna shall ensure that the departmental proceeding is initiated against the erring officers and the same is concluded within a period of six months as also a report to the said effect is submitted before the Registrar General of this Court.

The learned Superintendent of Police, East Champaran at Motihari, who is present in the Court, has also submitted that one ASI, Chandeshwar Singh and a constable, namely, Nawal Kumar, who are deputed in the prosecution section of police department for maintaining receipt and dispatch of documents, viz. summons, bailable warrants etc. and for maintaining liaison in between the learned District Court and the Police Department have also been suspended and departmental proceeding has been initiated vide memo dated 16.8.2022.



It is further submitted that only two witnesses remain to be examined in the present case i.e. the Investigating Officer and the concerned Hawaldar, who shall be produced on the next date fixed in the present case i.e. on 25.8.2022 and 26.8.2022.

It is the contention of the learned APP for the State that in all probability, the remaining two witnesses shall be examined / cross-examined on 25.8.2022 and 26.8.2022.

In such view of the matter, the learned court below is directed to ensure examination of the remaining two witnesses in this month itself and conclude the trial and deliver the judgment on or before 30.9.2022.

The learned counsel for the petitioner is satisfied with the steps taken, however, seeks liberty on behalf of the petitioner to approach this Court for renewal of his prayer for bail in case the trial is not concluded on or before 30.9.2022. Liberty, so sought, is granted.

The petition stands disposed of as not



pressed.

(Mohit Kumar Shah, J)

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