

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.296 of 2020

Arising Out of PS. Case No.-153 Year-2018 Thana- SANOKHAR District- Bhagalpur

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Suman Kumar Singh S/o Diwakar Prasad Singh R/o village- Bora, P.S.-
Amdanda, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Collector, Bhagalpur Bihar
3. The Home Commissioner, Govt. of Bihar, Patna Bihar
4. The Director General of Police, Bihar, Patna Bihar
5. The Deputy Inspector General of Police, Bhagalpur Range, Bhagalpur Bihar
6. The Senior Superintendent of Police, Bhagalpur Bihar
7. The Sub-Divisional Police Officer, Kahalgaon, District- Bhagalpur Bihar
8. The S.H.O. Police Station Amdanda, District- Bhagalpur Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Yadav, Adv.
For the Respondent/s : Mr. Md. Nadim Seraj, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-03-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

Counsel for the petitioner submits that the present writ petition has been filed for speedy trial relating to Sanokhar (Amdanda) P.S. Case No. 153 of 2018 lodged under Sections 406, 408, 409, 420, 120-B of the I.P.C. The second prayer has been made to complete the investigation against the then Panchayat Secretary who is accused in the the said P.S. case. It has also been prayed to make fair investigation against the other

accused persons that is Junior Engineer, Messers Shubham Enterprises and Proprietor in this case.

Counsel for the State submits that counter-affidavit has been filed. In the said counter-affidavit, it is crystal clear that the investigation has already been completed and charge-sheet has also been filed against Mukhiya, Panchayat Secretary and others which is Annexure-F to this case. Counsel for the State further submits that the speedy trial of the case is not at the hand of the police officials. It is within the purview of the court.

Upon going through the prayer, the first prayer is infructuous for the current writ, so far as, the second relief is concerned, charge-sheet has already been filed against Panchayat Secretary, namely, Binay Kumar Singh. So, the second relief has also been infructuous and so far as the third relief is concerned in which Junior Engineer, Jila Parishad and one other person that is supplier was also accused.

In this regard, I am inclined to interfere at the level of this court but liberty is hereby granted to the petitioner that he may file representation before Superintendent of Police, Bhagalpur, in the light of the observation made in the case of ***Surendra Singh Vs. State of Bihar*** passed in ***Cr.WJC No. 153 of 2017*** decided on 09.09.2022, within 4 weeks from today and

the Superintendent of Police shall take appropriate action in the light of observation made in the above case.

With this observation, this writ application is hereby disposed of.

(Dr. Anshuman, J.)

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