

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35857 of 2021

Arising Out of PS. Case No.-60 Year-2020 Thana- THARTHARI District- Nalanda

Chandan Kumar Son of Md. Majid @ Masid Resident of Village -
Samanpura, P.S.- Shastrinagar, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Superintendent of Police, Nalanda. Bihar
3. I.O. of Tharthari P.S. Case No. 60/2020, Tharthari Police Station, Nalanda. Bihar
4. Krishna Singh Son of Late Budhdeo Singh Resident of Village - Lakhachak, P.S. Tharthari, District - Nalanda.
5. Dayanand Singh Son of Krishna Singh Resident of Village - Lakhachak, P.S. Tharthari, District - Nalanda.
6. Gopal Sharan Son of Krishna Singh Resident of Village - Lakhachak, P.S. Tharthari, District - Nalanda.
7. Bittu Kumar Son of Dayanand Singh Resident of Village - Lakhachak, P.S. Tharthari, District - Nalanda.
8. Suraj Kumar Son of Sunil Singh Resident of Village - Lakhachak, P.S. Tharthari, District - Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Ms. Shama Sinha, Advocate
For the Opposite Party/s :	Mr. A.G.
	Mr. Lovekush Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-08-2023 Heard learned counsel for the parties.

2. This is an application for cancellation of bail granted to opposite party Nos. 4 to 8 in connection with G.R. No. 914 of 2020 arising out of Tharthari P. S. Case No. 60 of 2020 by the court of learned A.C.J.M.-I, Hilsa (Nalanda) registered under Sections 147, 148, 149, 341, 323, 307, 324, 379



of the Indian Penal Code *vide* order dated 21.10.2020 whereby learned Magistrate has granted bail to the opposite parties in a case where the Magistrate has no jurisdiction to grant bail in view of Section 437(1)(i) of the Code and it is further prayed to invoke supervisory powers under Section 483 Cr.P.C. over the court of learned Magistrate where the application of the petitioner dated 30.10.2022 under Section 437(5) Cr.P.C. has been kept pending.

3. It is submitted that the application was filed by the petitioner on 30.10.2022 under Section 437(5) Cr.P.C. before the court below but the same has been kept pending till date.

4. In the aforesaid facts and circumstances of the case, this case is disposed of with direction to the court below to expedite and conclude the matter, after hearing both the sides, within a period of four weeks from the date of production/receipt of copy of this order.

(Prabhat Kumar Singh, J)

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