

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19342 of 2016

Arising Out of PS. Case No.-55 Year-2002 Thana- GAIGHAT District- Muzaffarpur

Satyendra Singh @ Satendra Kumar Singh son of late Balram Singh resident of village, Rauna, P.S. Gaighat, District Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
 2. Surendra Singh, son of late Bhushan Singh
 3. Mukesh Kumar Singh, son of Upendra Singh
 4. Upendra Singh, son of Bhushan Singh
 5. Shyam Nandan Singh, son of Bhushan Singh
 6. Ramanand Singh, son of Late Bhushan Singh
 7. Rakesh Kumar Singh, son of Shyam Nandan Singh
 8. Kedar Singh, son of Sukha Nandan Singh
- All resident of village Rawna, P.S. Gaighat, District - Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Chandra, Advocate
For Informant	:	Mr. Devendra Kumar
For the Opposite Party/s	:	Mr. Bharat Bhusan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 13-09-2023 Heard the parties.

2. The petitioner has moved before this Court for following reliefs:-

"That this petition is directed for quashing the order dated 03.03.2016 is S.Tr. No. 489 of 2023 (State Versus Murdrika Singh and Others) 12.04.2016 arising out of Gaighat P.S. Case No. 55 of 2002 purported to have been passed in pursuance of the order dated 18.04.2012 in Cr. Misc. No. 22274/2011 passed by Hon'ble Mr. Justice



Shivaji Pandey, by the impugned order petitioners prayer for reserving the order/judgment till the counter case S.T. No. 549/2011 is ready for order/judgment so that Judgments may be delivered one after another on the same day."

3. It seems that two orders have been passed relating to the same case i.e Gaighat P.S. Case No. 55 of 2002.

4. First case is Cr. Misc. No. 22274 of 2011 filed by Upendra Singh and others which came to be dismissed on 18.04.2012 by a Bench of this Court (Hon'ble Mr. Justice Shivaji Pandey, as his lordship then was) while dismissing the petition, the followings observations incorporated.

" Accordingly, this petition is dismissed.

However, the conducting court is directed to ensure that Gaighat P.S. Case No. 127 of 2002 be also expedited preferably within six months from the date of receipt/production of copy of this order. However, it is also made further clear that both the cases will not be made analogous rather same will be decided one after another.

This order may be communicated through FAX at the cost of petitioner."

5. The left over accused Satyendra Singh @ Satendra



Kumar Singh thereafter preferred Cr. Misc. No. 36138 of 2014 which came to be dismissed by another bench of the Court on 09.09.2014 (Hon'ble Ms. Justice Anjana Prakash, as her Lordship then was) and once again the concluding part has to be recorded which is/are as follows:

“ I find that the order of this Court in Cr. Misc. No. 22274 of 2011 was that both the cases will not be made analogous rather same will be decided one after another.

Hence, I do not find any merit in this application. The same is dismissed.”

6. This petition was filed challenging the order dated 03.03.2016 passed in S. Trial No. 489 of 2003 (State vs. Murdrika Singh & Ors.) arising out of Gaighat P.S. Case No. 55 of 2002.

7. Due to interim protection granted on 26.04.2017, in this case, the Session Trial could not be taken to its logical conclusion.

8. Heard Mr. Shashank Chandra, learned counsel for the petitioner as also Mr. Bharat Bhushan who represent the State and Mr. Ravi Ranjan who represent the informant.

9. After some arguments, Mr. Shashank Chandra submits that he may be permitted to withdraw the petition so that



ultimately the trial (s) is/are taken to its logical conclusion.

10. It is high time that the trial is concluded and justice is given to the deceased who was killed two decades ago in 2002.

11. The petition accordingly stands dismissed as withdrawn.

(Rajiv Roy, J)

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