

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38665 of 2023**

Arising Out of PS. Case No.-218 Year-2015 Thana- BATHNAHA District- Sitamarhi

MUNNA SINGH @ MADHURENDRA KR MISHRA @ MADURANDRA
MISHRA S/O LALAN MISHRA R/O Village- Kachaur, P.S. Majorganj,
Dist.-Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

9 28-11-2023 Heard learned counsel for the petitioner and learned A.P.P.

for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 324 & 307/34 of the Indian Penal Code.

3. The allegation against the petitioner is of resorting firing upon the informant with an intention to kill him.

4. In compliance of the order dated 07.11.2023, the Sadar Deputy Superintendent of Police, Sitamarhi along with the Investigating Officer of this case is present before the Court. On the query of this Court, they could not respond about the reason as to why charge-sheet has not been submitted against this petitioner as yet although the case is of the year 2015.



5. This Court is aghast of the situation which is prevailing in the Police Department. It is relevant to note here that this case was lodged on 02.09.2015 against this petitioner and, now, at present, after almost lapse of eight years, investigation is going on but the charge-sheet/final form has not been submitted for the reasons best known to the concerned Police Officer.

6. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. He further submits that petitioner is not named in the FIR and during course of investigation none of the witnesses has supported the prosecution case and the police has submitted the final form noting pending investigation against the petitioner but the same has not been submitted against the petitioner as yet.

7. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bathnaha P.S. Case No. 218 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



8. The personal appearance of Sadar Deputy Superintendent of Police, Sitamarhi and the Investigating Officer of this case is dispensed with.

9. Office is directed to send a copy of this order to the Director General of Police, Bihar, Patna for taking appropriate action against the officer concerned as he thinks fit and proper.

(Anjani Kumar Sharan, J)

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