

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1088 of 2019

Arising Out of PS. Case No.-343 Year-1974 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. Rajendra Rai S/O Late Ram Daresh Rai Resident Of Village Mushepur, P.S. Bakhri At Present P.S. Garhpura, District- Begusarai.
 2. Yogendra Rai S/O Late Brahmdeo Rai Resident Of Village Mushepur, P.S. Bakhri At Present P.S. Garhpura, District- Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Distt. Magistrate, District- Begusarai Bihar
2. Shayam Sunder Singh Son of Unknown Resident of Village- bandhar, P.S.- Muffasil, District- Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Ambastha, Advocate
For the Respondent/s : Mr.M. Nasrul Huda Khan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 28-02-2023 Petitioners have prayed for quashing Complaint Case No. 343(C) of 1974 dated 17.6.1974, GP No.14 of 1978 filed by complainant Jai Prakash Roy against the petitioners for the offence punishable under sections 352, 307 and 302 of the IPC.

It is submitted on behalf of the petitioners that about 49 years have passed since lodging of the case and by the passage of of time complainant Jai Prakash Roy as well as two witnesses, namely, Basudeo Paswan and Ram Narain Rai have already died. They submit that the petitioners are being harassed in this case since 1974 due to latches of the prosecution and in that view of the matter, the Court below may



pass appropriate order closing the case to meet the ends of justice.

In view of the nature of submission, this criminal writ petition is disposed of with direction to the petitioners to file a petition to this effect before the Court of Additional Chief Judicial Magistrate, Bakhri, Begusarai within a period of four weeks from today. If such petition is filed, the Court below would pass appropriate order within three months thereafter.

(Prabhat Kumar Singh, J)

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