

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15474 of 2023

Arising Out of PS. Case No.-83 Year-2012 Thana- KESARIA District- East Champaran

SANTOSH KUMAR MISHRA Son of Late Mohan Mishra Resident of
village - Bijdhari, P.S.- Kesaria, Distt.- Motihari, East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Fani Bhushan Prasad Son of Late Virat Prasad Resident of village - Bijdhari,
P.S.- Kesaria, Distt.- Motihari, East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Pandey, Advocate Md. Waliur Rahman, Advocate
For the Opposite Party/s :		Mr. Jharkhandi Upadhyay, APP Mr. Anil Kumar, Advocate Ms. Pooja Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

8 14-05-2024 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the opposite party
no.2.

2. The instant application has been filed praying for
quashing the order taking cognizance dated 27.8.2016 passed in
Kesariya P.S. Case no.83 of 2012 (arising out of Complaint
Case no.269 of 2012) whereby cognizance was taken under
section 138 of the N.I. Act and sections 406 and 420 of the
Indian Penal Code.

3. After some argument, learned counsel for the
petitioner submits that the instant application may be disposed



of giving a direction to the learned Court below to dispose of the case at the earliest.

4. Having heard learned counsel for the parties and taking into consideration that the instant application arises out of a complaint case filed in the year 2012 which led to registration of the F.I.R. on 16.4.2012 and more than 12 years having passed since then, this case is disposed of with a direction to the learned trial Court to expeditiously dispose of the case at the earliest preferably within a period of six months from the date of receipt/production of a copy of this order.

(Partha Sarthy, J)

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