

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.590 of 2024

Arising Out of PS. Case No.-240 Year-2023 Thana- KHUSRUPUR District- Patna

Binay Kumar Son of Ram Bishun Prasad Yadav Resident of Village-
Pratappur P.S.- Khajekalan, Distt.- Patna

... .. Petitioner/s

Versus

1. The state of Bihar, through the Director General of Police, Govt. of Bihar,
Patna Bihar
2. The Registrar , Patna Civil Court

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amaresh Kumar, Adv.
For the Respondent/s : Mr. Sanjeev Kumar, G.P.14

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI

ORAL JUDGMENT

Date : 02-04-2024

Heard learned Advocate for the petitioner as well as
learned APP for the State.

2. In connection with Khushrupur P.S. Case No. 240 of
2023, dated 12.06.2023, registered under Sections 384/504/506/34
of the I.P.C. read with Section 27 of the Arms Act, the petitioner
filed an application for anticipatory bail bearing no. 5672 of 2023
on 21st June, 2023.

3. The learned Sessions Judge, Patna initially fixed 24th
June, 2023 for hearing. Subsequently, the bail application was
transferred to the court of the learned Additional Sessions Judge-
III, Patna City on 24th June, 2023. On 30th June, 2023, the learned



Additional Sessions Judge-III, Patna City called for the case diary fixing 11th July, 2023 for hearing. However, till date, the application for anticipatory bail has not been disposed of by the learned Additional Sessions Judge-III, Patna City.

4. There is specific guideline by the Hon'ble Supreme Court in *Satender Kumar Antil Vrs. Central Bureau of Investigation And Another* reported in **2022 (10) SCC 51**, fixing the time frame within which an application for anticipatory bail is to be disposed of. As the application for anticipatory bail has not been disposed of within the time limit as framed by the Hon'ble Supreme Court or within the reasonable period of time thereafter, the petitioner is seriously prejudiced due to inaction on the part of the learned Additional Sessions Judge-III, Patna City. The petitioner's fundamental right of personal liberty is under serious threat and danger.

5. Therefore, the learned Additional Sessions Judge-III, Patna City is directed to hear out and dispose of the application for anticipatory bail filed by the petitioner within 10 days from the date of communication of this order.

6. The petitioner is at liberty to communicate this order obtaining server copy of the same.



7. The learned Additional Sessions Judge-III, Patna City is cautioned for dereliction of his judicial duty and in future if, such type of application is filed against the concerned Judicial Officer, the matter will be seriously viewed.

8. Let a copy of this order be sent to the learned Additional Sessions Judge-III, Patna City through the Registrar General, Patna High Court, Patna.

9. The instant writ petition is disposed of with the above order.

(Bibek Chaudhuri, J)

pravinkumar/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	
Transmission Date	

