

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1457 of 2022

Arising Out of PS. Case No.-2 Year-2021 Thana- GANDHIMAIDAN District- Patna

Kotak Mahindra Bank through authorized representative Mr. Ratnesh Kumar Dubey Having its registered office at Kotak Infiniti, 5th Floor, Bldg No. 21, Infinity Park, Off Western Express Highway, General AK Vaidya Marg, Malad (E), Mumbai - 400097, office at Exhibition Road, P.S- Gandhi Maidan Patna- 800001 and represented through authorized representative Mr. Ratnesh Kumar Dubey, Male, aged about 42 years, Posted as Branch Manager at Kotak Mahindra Bank

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Home Dept., Govt. of Bihar Bihar
2. Director General of Police, Govt. of Bihar, Sardar Patel Bhawan, Bailey Road, Patna, Bihar- 800023 Bihar
3. Economic Offences Unit through its ADG, Patna Bihar
4. Superintendent of Police, Economic Offences Unit, Patna Bihar
5. Investigating Officer, Gandhi Maidan P.S Case No. 2 of 2021, Economic Offences Unit, Bailey Road Patna- 800001

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Dayanand Singh
For the Respondent/s	:	Mr.Deepak Kumar, A.C. to G.P. 4
For the E.O.U.	:	Mr.V.N.D. sinha, Sr. Adv

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

5 20-08-2024 This petition has been preferred by the petitioner seeking following relief:-

“(A) For issuance of an appropriate writ in the nature of mandamus or any other appropriate writ or order or directions to the Court of ACJM-1, Patna for concluding trial of Gandhi Maidan P.S Case No. 02 of 2021, expeditiously, and as per the



direction given by Hon'ble Patna High Court vide order dated 30.03.2022 in Cr. Misc. No. 3386 of 2022.

(B) For issuance of an appropriate writ in the nature of mandamus or any other appropriate writ or order or directions thereby directing the Investigating Officer, Economic Offences Unit, Patna (Respondent No.5) to submit various reports before Learned ACJM XIV, Patna as has been called from Learned Judicial Magistrate by various judicial orders specially under Section 156(3) of Code of Criminal procedure, and for just, proper and scientific investigation.”

2. It is submitted by learned counsel of the petitioner that petitioner has lodged the FIR in the year of 2021, and after completion of investigation charge-sheet has been filed by the P.S. Gandhi Maidan before the Court of ACJM-1 Patna, and charges have been framed in the year of 2023 and trial is still pending. He further submits that earlier on also the petition filed a Cr. Misc. No. 3386 of 2022, the said petitioner was disposed of by the Co-ordinate Bench of this Court vide its order dated 30.03.2022, and the trial court was directed to expedite and



conclude the trial within one year from the date of receipt of copy of order of this court, however trial is still pending. Learned counsel of the petitioner on the question submits that there are total eight witnesses in the trial and none of the witness has been examined till today.

3.Considering the above submission made by the learned counsel of the petitioner and further considering the direction given by this Court 30.03.2022 as referred earlier, the trial court is directed to expedite the trial and conclude it as early as possible probably within one year from today.

4. With regard to the relief clause (B) prayed by the petitioner is concerned, the Respondent No.5 is directed to comply with the order dated 07.02.2022 passed by the Learned ACJM-1 Patna, in P.S. Case No. 02/2021, positively within 3 months from today. Liberty is given to the petitioner to make a fresh petition, if occasion will arises later on.

5. With the aforesaid directions this petition is stand disposed of.

(Arvind Singh Chandel , J)

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