

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.37 of 2024**

Arising Out of PS. Case No.-266 Year-2008 Thana- KOTWALI District- Patna

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1. Udai Kumar Singh S/O Sarju Singh Resident Of B- 202, Singh Enclave, Basar Toli, Church Road, Ps. Town Ranchi, Dist. Ranchi, Jharkhand.
  2. Pramod Kumar Singh S/O Sarju Singh Resident Of Flat Nagar, First Main Road, Woraiyur, Tiruchirapalli, Ps. Tiruchirapalli Town, Dist. Tiruchirapalli, Tamilnadu. At Present Residents Of 366, A.P Colony, Gaya, Ps. Gaya Town, Dist. Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Law Secretary, Govt. Of Bihar, Patna Bihar, Patna
2. The Law Secretary, Govt. Of Bihar, Patna Bihar, Patna
3. The District Magistrate, Patna Bihar, Patna
4. The Senior Superintendent Of Police, Dist. Patna Bihar, Patna
5. The Sub-Divisional Police Officer (sdpo), Patna Sadar, Dist. Patna Bihar, Patna
6. The Registrar, Civil Court, Patna, Dist. Patna Bihar, Patna
7. The Station House Officer (sho), Ps. Kotwali, Patna Bihar, Patna
8. Sarwar Nazmi S/O Late Akhtar Sayed Representing Mangalam Homes Resident Of Sharif Colony, 302, Nafis (place), Ps. Sultanganj, Dist. Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ravindra Singh, Adv.  
For the Respondent/s : Mr. Sc.7

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      09-05-2024                      Heard learned counsel for the petitioners and learned  
counsel for the State.

2. The present writ application has been filed for the  
following relief(s):-

*(i) For a direction for speedy hearing and  
conclusion of the trial of the present case*

*bearing Complaint Case No. 1463 (C) of 2010 (arising out of Kotwali P.S. Case No. 266 of 2008) registered for offence under Sections 420, 467, 468, 471 and 34 of the I.P.C., whereby and where under the trial of the proceedings is consistently being delayed at the behest of the complainant, i.e. prosecution side as from the order sheet of the Court below, it would be apparent that he has consistently chosen not to appear before the Court below on several dates and due to this very reason, the trial is being delayed although the petitioners, who are working outside the State of Bihar have to come to Patna and almost regularly appears/does pairvi on each and every date before the Court below.*

*(ii) For a direction to the Court below for start of speedy trial of this case and concluding the same within a fixed period of time, preferably on a day to day basis without unnecessary delay.*

3. As per the prosecution case, the complaint case bearing Complaint Case No. 1463 (C) of 2010 (arising out of Kotwali P.S. Case No. 266 of 2008) is pending since 2010.

4. It has been submitted by learned counsel for the petitioners that the complainant is not appearing in the case and the petitioners are suffering in this case because of the pendency

of this case. If the complainant is not appearing, the accused cannot suffer and the complaint case cannot be kept pending for such a long period.

5. Accordingly, the present criminal writ application is disposed of directing the District Judge, Patna to transfer the case to Court which is functional and that Court will fix date in the case and dispose of the same within two months of receipt of the records in the transfer in the Court.

6. Let a copy of the order be communicated to the District Judge, Patna through FAX/e-mail forthwith for compliance of the order.

**(Sandeep Kumar, J)**

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