

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.237 of 2023

Arising Out of PS. Case No.-9 Year-1990 Thana- KOCHAS District- Rohtas

Vineet Kumar S/O Bimal Kishor Gupta Resident of Gaddi Road, Jaynagar,
Ps- Jaynagar Dist- Madhubani At present- The Superintendent of Police,
Rohtas at Dehri on sone Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Adv.
For the Respondent/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

5 07-07-2025 The petitioner is Superintendent of Police, Rohtas, who challenges legality, propriety and validity of the order dated 13th January, 2023 as well as the show cause dated 13th January, 2023, passed in Sessions Trial No. 340 of 1993 by the learned 1st Additional District & Sessions Judge, Rohtas at Sasaram.

2. By passing the said order, the trial court issued processes against one absconding accused under Sections 82 and 83 of the Cr.P.C., directing the Superintendent of Police, Rohtas to execute the process. The Superintendent of Police, Rohtas returned the said process without execution with the following remarks:-

“For further proceeding the same is returned.”

3. The action on the part of the Superintendent of Police, Rohtas was not viewed properly by the trial court and he



imposed cost of Rs. 5,000/- upon the Superintendent of Police, Rohtas, vide order dated 13th January, 2023. The said order and show cause dated 13th January, 2023 are under challenge in the instant criminal revision.

4. At the time of hearing, it is submitted by the learned Advocate on behalf of the petitioner that Sessions Trial No. 340 of 1993 has already been disposed of on 22nd May, 2023. Therefore, the impugned order has lost its force.

5. This Court is also of the similar view that the impugned order has lost their force after disposal of Sessions Trial No. 340 of 1993.

6. The aforesaid impugned order cannot be executed against the petitioner at this stage.

7. Therefore, on disposal of Sessions Trial No. 340 of 1993 the impugned order dated 13th January, 2023 and show cause 13th January, 2023 are quashed.

8. The instant criminal revision is accordingly disposed of.

(Bibek Chaudhuri, J)

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