

IN THE HIGH COURT OF JUDICATURE AT PATNA
Or. Criminal Miscellaneous (DB) No.2 of 2023

Arising Out of PS. Case No.- Year-0 Thana- District- Saran

Smt. Priyansvi Singh Ld. J.M. 1st Class Cum- Add. Munsif Saran at Chapra
Through Ld. District and Sessions Judge, Saran at Chapra

... .. Petitioner

Versus

1. Ramyad Yadav, Advocate (REG. No.-1125/99) Civil Court, Saran At Chapra. Bihar
2. The State of Bihar
3. The Secretary, Bihar State Bar Council, Bar Council Bhawan, Patna High Court, Patna Bihar

... .. Respondents

Appearance :

For the Petitioner	:	Ms. Aditi Sharma, Advocate
For the State	:	Mr. Kunal Tiwary, AC to GA-2
For the Contemnor	:	Ms. Chetna, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

18 10-07-2025 Heard Ms. Aditi Sharma, learned Amicus Curiae

and Ms. Chetna, learned counsel representing the alleged

contemnor.

2. The present case has been registered suo moto on

the receipt of the letter no. 354 dated 21.01.2023 of the learned

District and Sessions Judge, Saran at Chapra (now known as

Principal District and Sessions Judge) by which he has

forwarded the letter no. 73(A) dated 19.01.2023 of Ms.

Priyansvi Singh, Judicial Magistrate, 1st Class-cum-Additional

Munsif, Saran at Chapra in response to the Court's letter no.



65011 dated 02.11.2023.

3. It appears on reading of her letter addressed to the learned Registrar General of this Court that she has made a complaint against the alleged contemnor. It is alleged that on 26.08.2022 when the record of Chapra Town P.S. Case No.482 of 2020 was taken up for hearing, the accused appeared and started uttering unparliamentary language against her and derogatory words against the court and he also misbehaved in the local court. The alleged contemnor is said to have been an advocate in the court who is also an accused in Chapra P.S. Case No. 482 of 2020.

4. The then Hon'ble Acting Chief Justice directed for registration of original criminal miscellaneous. Notice has been issued on alleged contemnor and he has appeared in person.

5. On the last date when the case was taken up for consideration, this Court passed an order on 09.09.2024, the operative part of the order may be found in Paragraph '12' wherein this Court has recorded as under :

“12. We have considered the rival submissions at the Bar. At this stage, we find substance in the submissions of learned Amicus Curiae. The alleged contemnor has disputed the allegations made against him. He is seeking dismissal of the present case on



the ground of maintainability alone, however, we find that to decide on the question of maintainability, the factual aspects of the matter are required to be gone into and examined to find out whether the essential ingredients of a criminal contempt would be made out or not.”

6. The records were thereafter placed for framing of charge. On 30.09.2024, this Court called upon learned Amicus Curiae to bring the matter to the notice of the learned Magistrate on whose letters this case has been registered. Thereafter the matter was adjourned for time to time for seeking instructions. In its order dated 18.02.2025, this Court having noticed the prayer of learned Amicus Curiae for grant of one more adjournment, adjourned the matter calling upon her to seek instructions as to whether the witnesses in this case are willing to depose or not. The learned Registrar General of this Court was directed to provide all logistic supports to learned Amicus Curiae.

7. Today Ms. Aditi Sharma, learned Amicus Curiae has informed this Court that she has instructions from the learned Magistrate to say that she is not willing to pursue this matter.

8. In the kind of stand taken by the learned Magistrate, we are of the considered opinion that this original Criminal miscellaneous cannot proceed.



9. It is required to be dropped and we do so by dismissing the original criminal miscellaneous in want of prosecution.

10. We direct Patna High Court Legal Services Committee to pay sum of Rs.15,000/- to the learned Amicus Curiae for rendering her services by assisting this Court in the present matter. We also acknowledge the assistance given by her.

11. This application stands dismissed.

(Rajeev Ranjan Prasad, J)

(Ashok Kumar Pandey, J)

Durgesh/-
Shubham/-

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