

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1504 of 2022

=====

In-Re, Suo Motu cognizance taken by the Honble Court for initiation of contempt proceeding arising out of reference made by ADJ-IV, Bhojpur at Ara vide letter no. 159 dated 31.05.2022

... .. Petitioner/s

Versus

Mr. Jitendra Prasad the then G.R. Clerk, Civil Court, Ara.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Patanjali Rishi, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

and

HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA)

Date : 13-10-2025

The present contempt petition has been instituted on the basis of the *suo moto* cognizance taken by the Hon'ble Court arising out of the reference made by ADJ-IV, Bhojpur at Ara vide letter no. 159 dated 31.05.2022.

2. The ADJ-IV, Ara, Bhojpur had recommended the present contempt case on the basis of preliminary inquiry conducted by him against contemnor Mr. Jitendra Prasad, the then G.R. Clerk, CJM office, Bhojpur, Ara. He had made reference for taking cognizance of contempt of court and initiated Civil/Criminal contempt proceeding against him. In his reference, the learned ADJ-IV found that that the contemnor



willfully and willingly disobeyed the order dated 26.07.2019 of the learned court of CJM, Bhojpur. The contemnor also disobeyed the orders dated 24.06.2021, 13.07.2021, 17.07.2021 and 28.07.2021 in Sessions Trial No. 242 of 2019. The learned ADJ-IV also informs that previously the court of learned ADJ-IV had warned the contemnor for not obeying the order of the Court. A judicial order was passed in ABP No. 2871 of 2020 dated 05.02.2021 and requested the learned District & Sessions Judge, Bhojpur at Ara for taking disciplinary action against the contemnor which is still pending for preliminary inquiry and the same is being conducted by ADJ-I, Ara. In his report, learned ADJ-IV also informed that the learned CJM, Bhojpur had directed to the office clerk to open the supplementary record against the absent accused, namely, Parvati Devi and Krishna Singh in the record of Ara Muffasil P.S. Case No. 86 of 2017 but the contemnor with his vested interest has not open the split up record and disobeyed and disowned the order of the court in the favour of absent accused, namely, Parvati Devi and Krishna Singh.

3. Vide order dated 23.07.2025, a notice has been issued to the contemnor. He has appeared through his counsel and also filed show cause stating therein that in fact, the order



dated 26.07.2019 was passed by the learned CJM, Bhojpur and after the inquiry the learned ADJ-IV, Bhojpur had recommended for initiating the contempt proceeding against the contemnor.

4. Learned counsel for the contemnor/opposite party tenders absolute and unconditional apology for the inconvenience caused to this Court. He further submits that the contemnor/opposite party is charged with contempt of the Subordinate Court for not having complied with the judicial order dated 26.07.2019 for opening of the supplementary records against the absconding accused, namely, Parvati Devi and Krishna Singh in connection with Ara Muffasil P.S. Case No. 86 of 2017. The direction for opening up supplementary records either could not be complied with on account of pressure of work of the contemnor/opposite party or the records after having been created got misplaced and the same was not deliberate or due to any undue considerations. Even in the preliminary inquiry conducted by the learned District & Additional Sessions Judge-IV, Bhojpur, no material has surfaced which could imply any deliberate act of not opening of the supplementary records by the contemnor/opposite party or in misplacement of the supplementary records if opened.

5. Learned counsel for the contemnor/opposite



party submits that there is no material on the record to indicate that the contemnor would deliberately or due to some undue considerations failed to create the supplementary records or the same were deliberately misplaced and that the same was not due to administrative lapses.

6. Sofar as the allegation of misplacement of bail order in the records of Koilwar P.S. Case No. 451 of 2020, Barhara P.S. Case No. 200 of 2019 and non-timely supply of the records of Koilwar P.S. Case No. 373 of 2017 in ABP No. 1006 of 2020 were inquired by learned District and Additional Sessions Judge, I, Bhojpur in administrative side and the contemnor/opposite party has been exonerated vide report dated 03.03.2022 which has been accepted on 08.03.2022 (Annexure-2) by the learned District Judge, Bhojpur.

7. As far as non-creation or misplacement of the supplementary records of Ara Muffasil P.S. Case No. 86 of 2017 is concerned, the same has not been deliberate rather due to *bona fide* oversight and inadvertence.

8. Learned counsel for the contemnor/opposite party has filed a supplementary affidavit stating therein that no criminal or departmental proceeding with respect to the



allegation in question giving rise to the present proceeding is pending against the contemnor/opposite party. Even no criminal or departmental proceeding is pending against the contemnor/opposite party.

9. We have perused the records and we have also accepted the show cause filed on behalf of the contemnor/opposite party and drop the present proceeding.

10. No further order is required to be passed in the present matter.

11. Accordingly, the present contempt petition stands disposed of.

(Sudhir Singh, J)

(Rajesh Kumar Verma, J)

Vanisha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.10.2025
Transmission Date	NA

