

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1564 of 2024

Arising Out of PS. Case No.-13 Year-2013 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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Chandan Kumar @ Tinku Kumar, SON OF Niranjana Singh, VILLAGE-
DIGHA, PS- DIGHA, DIST- PATNA

... .. Petitioner/s

Versus

1. The State Of Bihar Through Additional Director General Of Police, E.O. Unit Bihar
2. The Superintendent Of Police, E.O. Unit, Srikrishna Path, Patna, Bihar Bihar
3. The Dy. S.P. E.O. Unit-Cum-Officer In-Charge, Eou, Ps Patna, Bihar Economic Offence The Dy. S.P. E.O. Unit-Cum-Officer In-Charge, Eou, Ps Patna, Bihar Economic Offence Ps Case No. 13/2013 Date 01-05-2023
4. Sri Ashok Kuamr, Inspector, EOU, Investigating Officer, Patna, Bihar Sri Ashok Kuamr, Inspector, Eou, Investigating Officer, Patna, Bihar Of Economic Offence Ps Case No. 13/2013 Date 01-05-2013

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar Pathak, Advocate
For the Respondent/s	:	Mr.Vishwanath Pd. Sinha, APP
For the EOU	:	Mr.Vishwanath Pd. Sinha, Sr. Advocate
		MrVijay Ananad, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

- 3 27-02-2025 1. The petitioner has approached this Court under constitutional writ jurisdiction, alleging, inter alia, that his life and personal liberty as well as his right to speedy disposal of case pending against him are being violated and he has been implicated in a case by the EOU since 2013, and for the last 11 years, not a single witness could be examined. Therefore, the instant writ petition is for a direction upon the Trial Court for speedy disposal of the EOU P.S. Case No. 13 of 2023.



2. It is submitted by the learned Advocate for the petitioner that in connection with EOU P.S. Case No. 13 of 2013, dated 1st of May, 2013, registered under Sections 406, 409, 419, 420, 465, 467, 468, 469, 471, 472, 473, and 120B of the IPC read with Section 66(D) and 66(E) of the I.T. Act, the Investigating Officer submitted the charge sheet on 27th of July, 2013. The Trial Court took cognizance of the offence on the basis of the police report on 26th of July, 2014. The petitioner previously approached this Court for quashing of the FIR, but a Co-ordinate Bench of this Court dismissed the said application in Cr. Misc. No. 25268 of 2016 on the ground that the cognizance had already been taken against the accused and the FIR could not be quashed at the said stage. Therefore, the said case was disposed of directing the learned Trial Court to expedite the trial and conclude the same at the earliest. Though the said order was passed on 9th of November, 2023, till date the learned SDJM, Patna did not examine any witness on behalf of the prosecution, and the prosecution also failed to produce any witness in pursuance of the summons sent to the witnesses.

3. A litigant has the constitutional right to get speedy justice. It is apparent that there was inordinate delay and the case is pending unnecessarily without recording evidence.



4. For the reasons stated above, the Respondent Nos. 2, 3, and 4 are directed to produce the witnesses in pursuance of the summons before the learned Magistrate on the dates fixed by him for the trial of the case.

5. The learned SDJM, Patna is directed to conclude the recording of evidence within 4 months from the date of communication of this order.

6. The parties are at liberty to act on the server copy of the order.

7. With the above direction, the instant writ petition is disposed of.

(Bibek Chaudhuri, J)

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