
(2010) 08 PAT CK 0110
In the Patna High Court

Prabhat Kumar Sharma

APPELLANT

Vs

The State of Bihar and Marketing Officer

RESPONDENT

Date of Decision : 09-08-2010

Acts Referred:

Colliery Control Order, 1945 — Order 12(B)
Criminal Procedure Code, 1973 (CrPC) — Section 482
Penal Code, 1860 (IPC) — Section 120(B), 34, 420

Citation : (2010) 08 PAT CK 0110

Hon'ble Judges : Rakesh Kumar, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Rakesh Kumar, J.—Today again, when the case was called out, none appeared on behalf of the petitioner either to press the petition or to make a prayer for adjournment. On 4.8.2010 also, none appeared on behalf of the petitioner, when the case was called out. However, the case was adjourned for a day with an indication that no further adjournment shall be granted. While admitting the case, this Court also noticed that in this case, order of stay was continuing since 19.11.2001.

2. The sole petitioner, while invoking inherent jurisdiction of this Court u/s 482 of the Code of Criminal Procedure, has prayed for quashing of an order dated 14.8.2000 passed by Additional Chief Judicial Magistrate, Hilsa, Nalanda in Hilsa P.S. Case No. 148 of 1998. By the said order, the learned Magistrate, has taken cognizance of offence under Sections 420, 120B/34 of the Indian Penal Code and 12(B) of Colliary Control Order, 1945.

3. I have perused the materials available on record as well as the impugned order. I do not find any defect in the impugned order. The court is satisfied that it is not a fit case for exercising inherent power u/s 482 of the Code of Criminal Procedure in favour of the petitioner.

4. Accordingly, the petition stands rejected.
5. In view of rejection of this petition, interim order of stay dated 19.11.2001 stands automatically vacated.
6. Let a copy of this order be sent to the court below forthwith.
7. Keeping in view the fact that the matter has remained pending for a long period, it is desirable to direct the court below to proceed with the case expeditiously so that the case may come to a logical end as early as possible.