

ITEM NO.18

Court 2 (Video Conferencing)

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).4769/2020

(Arising out of impugned final judgment and order dated 06-07-2020 in CRLM No.21680/2020 passed by the High Court of Judicature at Patna)

BACHCHA PANDEY

Petitioner(s)

VERSUS

THE STATE OF BIHAR

Respondent(s)

(FOR ADMISSION and I.R.

IA No.100252/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No.100251/2020 - EXEMPTION FROM FILING O.T.)

Date : 18-01-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s) Mr. Vinod Kumar, Adv.
Mr. Braj Kishore Mishra, AOR
Mr. Abhishek Yadav, Adv.

For Respondent(s) Mr. Manish Kumar, AOR
Mr. Harsh Chaudhary, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The Court is convened through Video Conferencing.

This petition is directed against order dated 06.07.2020 passed by the High Court of Judicature at Patna in Criminal Miscellaneous No.21680 of 2020 whereby the prayer for bail made by the petitioner was rejected by the High Court.

Heard learned counsel appearing on behalf of the petitioner as also the learned counsel appearing on behalf of the

respondent - State.

This Court, on 15.10.2020, after hearing learned counsel for the petitioner, rejected the prayer of bail of the petitioner. However, on the basis of the material placed on record about the flagrant delay in conducting the investigation and prosecution of the accused in connection with the serious crime involving the death of a young married woman, this Court issued notice to the Director General of Police, Bihar as well as the Registrar General of the Patna High Court with a direction to them to place a report about the particulars of the present case, particularly with respect to the reasons behind such inordinate delay.

In compliance of the said order, the State of Bihar as well as the Registrar General of the Patna High Court filed the Reports.

When the matter was taken up on 16.12.2020, after perusing the above-mentioned Reports submitted by the State of Bihar as also by the Registrar General of the Patna High Court, this Court expressed dis-satisfaction with the reasons given in the said Reports regarding the inordinate delay in the investigation and prosecution of the petitioner - accused and opined that the State wanted to project in its Report that there were 11 investigating officers in the case who were frequently changed, which was the main cause for inordinate delay in investigation of the case. Noting the lapses on the part of the Investigating Officers, we directed to list the matter in the third week of January, 2021 for further instructions.

Today, during the course of hearing, it has been pointed out to us that a Status Report has been filed on behalf of the respondent - State of Bihar.

Having perused the said Status Report, we are satisfied that necessary action is being taken by the respondent - State with respect to the delay in conducting the investigation and prosecution of the accused - petitioner.

In view of the above, we do not want to keep the instant matter pending any further and the same stands disposed of as such.

As a sequel to the above, pending interlocutory applications also stand disposed of.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(RAJ RANI NEGI)
DEPUTY REGISTRAR