

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35255 of 2019**

Arising Out of PS. Case No.-528 Year-2010 Thana- GANDHIMAIDAN District- Patna

RIKKI @ MD. JAWED Son of Nanhay Mian @ Md. Nandu @ Md. Nanhaney Resident of Village - Bajaja Gali, P.S.- Pirbohare, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Dular Sah, Advocate

For the Opposite Party/s : Ms. Dr. Indiwar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

3 11-09-2019 This case was listed before this Court on 06.09.2019, when the matter was argued by Mr. Raj Dular Sah, learned advocate. A positive order was passed in this case.

However before this Court was about to leave the High Court premises for his residence, the Bench Secretary who had taken down the dictation came running in the Chambers and informed that Mr. Raj Dular Sah accompanied by a person had come to him and had asked him to type the order in priority. The concerned Secretary, Mr. Krishna Kumar Sinha, tried to stop the learned advocate and his associate whom the learned advocate claimed to be his clerk, but they ran away from the place where the Secretaries sit and type out orders.



It is unbecoming of an advocate to enter the chambers of the Secretaries where orders are typed out. This Court can understand the urgency in a bail matter but that does not give any right to an advocate or his clerk or his associate to make any attempt to have the order typed in priority.

Mr. Raj Dular Sah, learned advocate has expressed his regret for having done so and assures this Court that he shall never repeat this act in future.

While this order was being dictated, the clerk of Mr. Raj Dular Sah viz. Mr. Surendra Yadav also made his appearance before this Court and apologized for his conduct.

Considering that both, the learned advocate as well as his clerk, have expressed their regret for having done this act, this Court leaves the issue at this only, with a warning to both of them that they should not exceed their brief in future.

Since the order could not be typed out, there is no occasion for recalling such order.

Since no *Pairvikar* of the petitioner had accompanied the advocate and his clerk, I am not passing any further order. But I would not like to hear this petition.

In that view of the matter, let this case be



placed before Hon'ble the Chief Justice for passing appropriate orders for listing it before any other appropriate bench.

(Ashutosh Kumar, J)

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