

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22159 of 2012

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1. Ram Pravesh Singh Yadav
 2. Sheo Narayan Singh Yadav
 3. Raju Yadav

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Mina Singh (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

05 11-02-2015

Heard learned counsel for the petitioners, learned counsel for the opposite party no.2 as well as learned Additional Public Prosecutor.

Petitioners have prayed for setting aside the order dated 13.04.2012 passed by S.D.M., Dumraon in Misc. Case no.47(M) of 2012 (State v. Ram Pravesh Singh Yadav) whereby and whereunder petitioners have been directed to execute bond of Rs.50,000/- with two sureties of the like amount each in a proceeding under Section 110 Cr.P.C.

On perusal of the order itself, it is apparent that the same did not justify its validity in the background of the fact that apart from forbidding to conduct an inquiry to ascertain truthfulness in the allegation in terms of Section 116 of the Cr.P.C., the order impugned suffers from inherent defect as it did

not speak regarding the tenure whereunder the order is to survive.

As such, the order impugned is set aside. Petition is

allowed.

Vikash/-

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(Aditya Kumar Trivedi, J)