

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39751 of 2014

Arising Out of PS.Case No. -259 Year- 2013 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

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1. Ashok Kumar Son of Karu Singh Resident of Village-Bholabigha, Police Station-Islampur, District-Nalanda..... .. Petitioner/s

Versus

1. The State of Bihar

2. Shambhu Singh @ Dadan Singh Son of Late Jagdish Singh Resident of Village-Bholabigha, Police Station-Islampur, District-Nalanda.

.... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjan Kumar

For the Opposite Party/s : Mr. Arun Kumar Singh 5 (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

6 11-02-2015

Heard learned counsel for the petitioner/informant as well

Mr. Upendra Kumar, Advocate having A.O.R. No. 05972.

A show cause has been filed by Mr. Upendra Kumar, Advocate after serving the copy to the learned counsel for the petitioner and the same has been taken on record.

It has been stated by Mr. Upendra Kumar that he has not filed Cr. Misc. No. 18154 of 2014 and his AOR No. 05972 has been used without his consent.

No one appears on behalf of opposite party no. 2 and he is enjoying the privilege of bail on the basis of order dated 4.6.2014 passed in Cr. Misc. No. 18154 of 2014 by this Court which has been got passed after making interpolation in the contents of the FIR as well as in the impugned order of the learned Sessions Judge, Nalanda, Camp Court, Hilsa in B. P. No. 54 of 2014 in connection with Islampur P.S.

Case No. 259 of 2013.

From perusal of the FIR and impugned order filed by the petitioner/informant it reveals that Shambhu Singh @ Dadan Singh is the main assailant. Since the order granting bail dated 4.6.2014 passed in Cr. Misc. No. 18154 of 2014 has been got after making interpolation in the FIR and impugned order, the order granting bail to opposite party no. 2., namely, Shambhu Singh @ Dadan Singh son of Late Jagdish Singh, R/o village- Bholabigha, P.S.- Islampur, District- Nalanda is hereby cancelled and the learned Additional Chief Judicial Magistrate, Hilsa is directed to issue warrant of arrest and processes against him and the Superintendent of Police, Nalanda is also directed to get the warrant of arrest and processes executed within a fortnight against opposite party no. 2, namely, Shambhu Singh @ Dadan Singh son of Late Jagdish Singh, R/o village- Bholabigha, P.S.- Islampur, District- Nalanda in connection with Islampur P.S. Case No. 259 of 2013, G.R. No. 3010 of 2013.

Registrar General is directed to take effective steps against erring persons.

Accordingly, this application is disposed of.

(Jitendra Mohan Sharma, J)

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