

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32881 of 2012

- =====
1. Dulariya Devi W/O Biswambhar Mukhiya
 2. Biswambhar Mukhiya S/O Sri Ram Briksha Mukhiya
 - Both residents of village- Katiya, P.S. Benipatti, District- Madhubani
 3. Santosh Mahtha S/O Sri Bindeshwar Mahtha R/O Village - Benipatti, P.S. Benipatti, District - Madhubani

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Rajendra Singh Shastri(APP)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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5 01-04-2015 Heard learned counsel for the petitioners and Sri Rajendra Singh Shastri, learned Addl. Public Prosecutor.

The present petition has been filed for quashing the order dated 21.07.2012 passed by the learned Chief Judicial Magistrate, Madhubani in Benipatti P.S. Case No.72 of 2011, whereby the bail bond of the petitioner has been cancelled.

From perusal of the impugned order, it is evident that such order was passed in compliance with the order passed by this Court in Cr.Misc.No.40896 of 2011, whereby while granting bail to the petitioners, this Court had imposed one of the conditions that on each and every date, the petitioners shall remain physically present before the court below till disposal of the case and in case

of failure on two consecutive dates without giving any reasonable explanation, their bail bond shall stand cancelled. Since the petitioners have failed to appear on two consecutive dates before the court below without giving any reasonable explanation, in compliance with the order of this court, bail bond of the petitioners was cancelled.

Accordingly, such order may not be entertained under the provisions of Section 482 of the Code of Criminal Procedure.

The petition stands dismissed.

(Rakesh Kumar, J)

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