

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45542 of 2015

Arising Out of PS.Case No. -3267 Year- 2007 Thana -SARAN COMPLAINT CASE District-
SARAN

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1. Lal Bachan Singh son of Late Chulhai Singh
2. Sheo Mangal Singh son of Late Chulhai Singh
3. Chinta Devi wife of Sri Lal Bachan Singh
4. Narender Prasad son of Deena Nath Prasad
5. Bir Bahadur Singh son of Late Dharm Nath Singh
All resident of village- Turki, P.O.- Rasauli, P.S.- Panapur, District- Saran
at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rinku Devi (Daughter-in-law of complainant, namely, Ajab Singh
because complainant is dead, then she substituted) R/o Village- Turki, P.O.-
Rasauli, P.S.- Panapur, District- Saran at Chapra.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan
For the Opposite Party/s : Mr. M.K. Khare (App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 05-08-2016 By way of the present application preferred under

Section 482 of the Code of Criminal Procedure, the petitioners
seek quashing of the order dated 19.08.2015 passed by the learned
Sessions Judge, Saran at Chapra in A.B.P. No. 1691 of 2014 (Tr.
No. 2316 of 2014), whereby the application filed by the petitioners
seeking fifteen days further time in order to surrender before the
court and furnish sureties as directed by the court, vide order dated
20.01.2015 passed in A.B.P. No. 1691 of 2014 (4959 of 2014), has
been rejected.

Without going into the legality of the order, it is

deemed expedient in the interest of justice to stay the order dated 19.08.2015 passed by the learned Sessions Judge, Saran at Chapra in A.B.P. No. 1691 of 2014 (Tr. No. 2316 of 2014) and direct that in case the petitioners surrender within three weeks from today, the jurisdictional Magistrate in seisin of the Complaint Case No. 3267 of 2007 corresponding to Tr. No. 2316 of 2014 shall release them on furnishing bond and sureties to his own satisfaction in terms of the order dated 20.01.2015 passed in A.B.P. No. 1691 of 2014 (4959 of 2014).

It is made clear that if the petitioners fail to appear within the period stipulated hereinabove, this order will be deemed to have been recalled, and in that circumstance, the order passed by the learned Sessions Judge, Saran at Chapra on 19.08.2015 shall become operative.

(Ashwani Kumar Singh, J)

Pradeep/-

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