

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53042 of 2015

Arising Out of PS.Case No. -1451 Year- 2012 Thana -DARBHANGA COMPLAINT CASE
District- DARBHANGA

- =====
1. Amanullah Siddiqui.
 2. Md. Dular

Both are Sons of Late Razi Ahmad. and are residents of village Shirinya, P.S.
Ashok Paper Mill, District- Darbhanga.

.... Petitioners

Versus

1. The State of Bihar.
2. Aftab Siddiqui S/o Late Ali Ahmad Siddiqui, R/o Mohalla- Lalbagh, P.S.-
Town, District- Darbhanga.

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das, Advocate

For the Opposite Party/s : Mr. Binod Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date: 09-05-2016

By way of the present application preferred under
Section 482 of the Code of Criminal Procedure, 1973, the
petitioners seek quashing of the order dated 20.08.2015 passed by
Sri. A. K. Pandey, learned Judicial Magistrate, 1st Class, Darbhanga
in C R No. 1451 of 2012 by which bail bond of the petitioners has
been cancelled.

2. It is stated by learned counsel for the petitioners
that due to non appearance of the petitioners for one day, the
learned Magistrate cancelled the bail bond of the petitioners and

issued non-bailable warrant of arrest against them by a composite order without assigning any reason.

3. I have perused the impugned order dated 20.08.2015, which reads as under;-

*“ All 02 accused absent.
Complainant is in attendance.
Bail Bond of all accused cancelled.
O/c is directed to issue NBW against all
accused.
Put up for appearance on 30.09.15.”*

4. A reading of the aforesaid order passed by the learned Magistrate would make it evident that the same is cryptic in nature. Though, the court below is not required to write an elaborate judgment for canceling the bail bond and issuing non-bailable warrant of arrest against an accused, it is expected to adduce some reason for its logical conclusion, as reason is the heartbeat of every conclusion.

5. In that view of the matter, the impugned order dated 20.08.2015 cannot be sustained. It is set aside, accordingly.

6. In the result, this application is allowed.

(Ashwani Kumar Singh, J.)

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