

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47069 of 2013

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Abhay Kishore Son Of Awadh Kishore Singh Resident Of Village And
Post- Gorkhari, P.S.- Bikram, District- Patna

.... Petitioner

Versus

1. 1. The State Of Bihar Through The Principal Secretary, Home
(Police) Department, Government Of Bihar, Patna
2. The Inspector General Of Prison, Home (Jail) Department,
Government Of Bihar, Patna
3. The Director General Of Police, Bihar, Patna
4. The Inspector General Of Police, Central Range, Patna
5. The Deputy Inspector General Of Police, Central Range, Patna
6. Senior Superintendent Of Police, Patna
7. The Superintendent Of Police, Rural, Patna
8. The Officer-In-Charge, Parsa Bazar Police Station, Patna
9. The Investigating Officer, Parsa Bazar P.S. Case No. 98/12, Bihar,
Patna
10. Ran Vijay Pratap @ Babloo Singh Son Of Ram Bhawan Singh
Resident Of Village- Gorkhari, P.S.- Bikram, District- Patna

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Anshuman Singh

For the Opposite Party/s : Mr. Harendra Prasad (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

7 13-01-2016 Inspite of notice received by Sri Vijoy Bahadur, the

learned counsel for opposite party no. 10, no one has appeared on

his behalf resulting this Criminal Miscellaneous is being heard in

absence of Opposite party no.10.

Heard the learned counsel for the informant-

petitioner as well as the learned A.P.P for the State.

From Annexure-1 of the application it is manifest that

the informant Abhay Kishore has lodged Parsa Bazar P.S. Case



No. 98 of 2012 dated 25.07.2012 under section 302/34 I.P.C. but the Opposite party no. 10 filed Cr. Misc. No. 16883 of 2013 earlier giving his name only Vijoy Kumar annexing forged copy of the FIR wherein the name of the informant was Raj Kishore and further annexing the forged fardbeyan of Raj Kishore alleging therein that due to land dispute Ram Bhawan Singh shot fire which hit the wife of the informant and on that basis considering that Ran Vijay Pratap @ Babloo Singh is not the assailant the order dated 18.04.2013 was passed granting bail to him. Further, criminal antecedent was also suppressed which is evident from own confessional statement of opposite party no.10 vide Annexure-9.

This is a matter of serious concern that after playing fraud and after annexing forged copy of the FIR and fardbeyan and further with wrong allegation of facts, Cr. Misc. No. 16883 of 2013 was filed and accordingly the order dated 18.04.2013 was obtained.

In the result, the order dated 18.04.2013 is hereby recalled and the bail granted to opposite party no.10 Ran Vijay Pratap @ Babloo Singh is hereby cancelled in Parsa Bazar P.S. Case No. 98 of 2012.

From the report dated 08.04.2015 of the trial court it

reveals that Sessions Trial No. 1039 of 2013 arising out of Parsa Bazar P.S. Case No. 98 of 2012 is going on and as such the trial judge is directed to take all positive steps for taking Ran Vijay Pratap @ Babloo Singh in custody by issuing non-bailable warrant of arrest and process if he fails to surrender within the time framed by the trial judge. Further, let a copy of this order be sent to the Registrar General, Patna High Court, Patna for initiating criminal case against opposite party no.10 Ran Vijay Pratap @ Babloo Singh son of Ram Bhawan Singh, resident of Village- Gorkhari, P.S. Bikram, District- Patna.

Accordingly, this Criminal Miscellaneous is hereby disposed of.

(Jitendra Mohan Sharma, J)

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