

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19327 of 2015

Arising Out of PS.Case No. -1767 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE
District- GOPALGANJ

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Md. Farooque, Son of Sheikh Nasruddin, Resident of village - Bhopalpur,
P.S. - Kateya, Distt. - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sabina Khatoon, Daughter of Mustahab Hussain, Resident of village -
Domahata, P.S. - Hathuwa, Distt. - Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Mohammad Sufyan, Advocate
For the State : Mr. Braj Kishore Prasad (APP)
For O.P. No.2 : Mr. Harendra Prasad, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 04-05-2016 Heard learned counsel for the petitioner and the learned

counsel appearing on behalf of O.P. No.2 as well as the learned

counsel for the State.

By order dated 2.3.2016, this Court had directed the
petitioner and the O.P. No.2 to be present in Court. Pursuant to the
said order, O.P. No.2 is personally present. However, the
petitioner is not present.

The petitioner has been availing the benefit of an interim
relief from this Court since 29.4.2015. On several earlier dates,
while O.P. No.2 used to be present, the petitioner had abstained
from appearing in person as had been directed by several orders.

However, on the last date, the petitioner was present.

I have been informed by O.P. No.2 and the Counsel appearing on behalf of the petitioner that while availing the interim relief, the petitioner has chosen not to appear for the reason that he has already left the country and gone to Dubai without seeking direction of this Court. This is, indeed, a serious matter.

In view of such conduct of the petitioner, the interim order dated 29.4.2015 passed in his favour stands withdrawn. The prayer for anticipatory bail made on behalf of the petitioner, thus, stands rejected. However, it shall be open to the prosecution to proceed and take steps, in accordance with law.

Let a copy of this order be sent to the court of the learned Chief Judicial Magistrate, Gopalganj, in connection with Complaint Case No.1767 of 2014, Tr. No.4538/15, so that the court is made aware of the conduct of the petitioner and proceeds in an appropriate manner.

(Anjana Mishra, J)

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