

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52892 of 2016

Arising Out of PS.Case No. -367 Year- 1994 Thana -BANKA District- BANKA

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1. Sitaram Singh Son of Late Suresh Prasad Singh Resident of Village-
Balarpur, P.S. Banka, District-Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-12-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The application is for grant of bail for the offence under
Sections 144, 379, 386, 342, 436, 427 of the Indian Penal.

It has been submitted on behalf of the petitioner that as a
matter of fact no processes had been issued against the petitioner,
prior to 4.8.2016 and without issuance of processes as well as
issuance of warrant, non-bailable warrant has been issued against
the petitioner.

It has further been submitted that the petitioner had no
knowledge about the same, as such he had not appeared before the
court below and it was not intentional.

Having heard both sides. In view of the facts as stated



above, let the petitioner surrender before the court below and the court below will examine from the record of the case as to whether the processes had been issued and the report is tagged with the record and whether the bailable warrant and other steps had been taken against the petitioner, if no service of process is on the record and no summon or warrant has been issued, the court will consider this aspect and will pass order accordingly on the same day otherwise the court below will pass any other order on merit of the case in accordance with law.

With the above observation, this case is dismissed.

(Vinod Kumar Sinha, J)

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