

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16703 of 2017

Arising Out of PS.Case No. -566 Year- 2010 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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1. Vijay Shankar Rai, Son of Late Sheopujan Rai, resident of Village-
Karimuddinpur, P.S.- Karimuddinpur, District- Gazipur (Uttar Pradesh).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Madhusudan Rai, son of Late Jagdish Rai, Village- Mangraon, P.S.-
Rajpur, District- Buxar, at present Village- Karimuddinpur, P.S.-
Karimuddinpur, District- Gazipur (U.P.).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-04-2017 Heard the parties.

This application has been filed in connection with Buxar
Complaint Case No.566 (C) of 2010 for the offence under
Sections 406 and 420 of the Indian Penal Code.

Allegation against the petitioner is for the offence under
Section 406 and 420 of the Indian Penal Code and apart from that
it appears from the record that the case is of the year, 2010 and the
petitioner has appeared after exhausting of the processes of non-
bailable arrest issued by the D.G.P. (U.P.), service of summon or
bailable warrant has been received nor any reason has been given
and he is resident of Uttar Pradesh so he could not know about this



case as such he could not appear before the court.

So far merit of the case is concerned, it is submitted that he has been falsely implicated in this case. He is aged about 80 years.

Heard learned A.P.P.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner surrender before the court below within a period of two weeks and the learned court below will examine this aspect of the matter as to whether there was any service of summon or bailabe warrant , as attached on the record or not and if there is no service report, the petitioner will be released on bail on his own satisfaction and otherwise, he may pass any order or orders as he deems fit and proper.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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