

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35548 of 2018

Arising Out of PS.Case No. -51 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District -
MUZAFFARPUR

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Union Of India through Intelligence Officer namely Binod Kumar mandal
(DRI) Patna son of Musaharu Mandal resident of village –Bhawanipur P.S.
Narpatganj, District-Araria.

.... Petitioner/s

Versus

Bhikam Singh @ Bhikham Singh S/o Sri Om Prakash Resident of Village -
Rajapura, P.O. + P.S. - Milak Khanam, District - Rampur (U.P.)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 08-08-2018 Heard learned counsel for the petitioner and learned
counsel for the opposite party.

A supplementary affidavit has been filed by the
petitioner, Union of India through Directorate of Revenue
Intelligence that 1st Additional District and Sessions Judge in Trial
No. 06 of 2018 arising out of D.R.I. Case No. 151 of 2016 has
passed a final order on 24th July, 2018.

Let the same be kept on record.

Learned counsel for the petitioner, however, submits
that the petitioner has filed this application for cancellation of bail
granted to the opposite party by this Court vide order dated
16.05.2018 passed in Cr. Misc. No. 30491 of 2018 but since there



was some technical difficulty, the bail bounds could not be filed and the opposite party could not be released.

A report was received in Cr. Misc. No. 31039 of 2017 from the 1st Additional Sessions Judge, Muzaffarpur vide letter no. 183 of 2018 dated 13.04.2018 and period of concluding the trial was extended to a further period of three months from the date of receipt/production of a copy of the order dated 25.04.2018. This fact was not brought to light while passing the order dated 16.05.2018 granting bail to the petitioner in Cr. Misc. No. 30491 of 2018. Since the opposite party had not been enlarged on bail vide order dated 20.06.2018, this Court directed that the bail order dated 16.05.2018 passed in Cr. Misc. No. 30491 of 2018 would not be implemented. Now the trial court has passed a final order of conviction against the opposite party and convicted, sentenced and fine by a final order dated 24.07.2018.

Thus, this application for cancellation of bail requires no further directions. It is disposed off.

(Nilu Agrawal, J)

Devendra/-

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