

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13899 of 2019

In
CRIMINAL MISCELLANEOUS No.3519 of 2019

Arising Out of PS. Case No.-32 Year-2018 Thana- GOH District- Aurangabad

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Santosh Singh @ Ashutosh Kumar Singh Son of Late Ashok Singh @ Jitendra Kumar Singh Resident of Village - Dulhinganj Bata More, P.O. H.P.O. Gaya, P.S.- Kotwali, Distt.- Gaya, Permanent Address- Village - and P.o. and P.S.- Goh, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-03-2019 This application under Section 482 of the Code of Criminal Procedure has been filed by the petitioner for restoration of Cr. Misc. No. 3519 of 2019, which stood dismissed for want of prosecution vide order dated 25.01.2019.

It is submitted by the learned counsel for the petitioner that inadvertently the case could not be marked in the cause list on that day as a result of which he failed to attend the Court. He submitted that the fault was not intentional.

Considering the submission made at the bar, the application is allowed. Cr. Misc. No. 3519 of 2019 is restored to its original file.



Cr. Misc. No. 3519 of 2019

This application under Section 438 of the Code of Criminal Procedure has been filed by the petitioner for grant of pre-arrest bail in connection with Goh P.S. Case No. 32 of 2018 registered under Sections 341, 323 and 307/34 of the Indian Penal Code.

Considering that there is case and counter case, there is no specific allegation of assault against the petitioner in the FIR and in para 3 of the application the petitioner has stated that he has no criminal antecedent, in the event of arrest or surrender before the court below, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Goh P.S. Case No. 32 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

pradeep/-sneha

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