

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64955 of 2018

Arising Out of Complaint Case No.-962 Year-2011 District- Jamui

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1. Ashrafi Khatoon wife of Anzar Imam
 2. Sarwar Imam Son of Manzar Imam
 3. Rozi Parween @ Rozy Khatoon D/o Manzar Imam
 4. Parwez Alam @ Md. Parvez Son of Md. Firoz
 5. Khushboo Parween @ Khushboo Khatoon D/o Manzar Imam
 6. Zafar Imam Son of Manzar Imam
 7. Heena Parween @ Heena Khatoon D/o Manzar Imam
 8. Shahnaz Bano W/o Manzar Imam All resident of Gandhi Gramund Moti Masjit, Police Station-Hind Piri, Distt.-Ranchi Jhaarkhand

... .. Petitioner/s

Versus

1. State of Bihar
2. Bibi Shahina Parween, W/o Manzar Imam, D/o Md. Salahuddin Resident of Village-Chandradeep, Police Station-Chandradeep, Distt.-Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Wasi Ahmad Khan

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 22-07-2019 Heard the learned counsel for the parties.

The petitioners are the relatives of the husband of
Opposite Party No. 2, who have sought quashing of the
order dated 26.05.2017 passed by the S.D.J.M., Jamui in



connection with Complaint Case No. 962C of 2011, whereby bail bonds of the petitioner have been cancelled and non-bailable warrant has been issued on the ground that they have failed to appear before the Court and, therefore, charges could not be framed against them.

It has been submitted on behalf of the petitioners that they were not appearing before the Court as there was a stay operating against any further proceeding in the court below in view of the order dated 27.05.2015, passed in Cr. Misc. No. 29446 of 2014.

It appears that only because of the aforesaid order passed by a Bench of this Court staying all further proceedings in the court below with respect to the Complaint Case in question that the petitioners had not appeared before the court below.

The petitioners assure that they shall appear before the Court and hear the accusation of charge against them.

On the basis of the aforesaid statement as made on behalf of the petitioners, the order dated 26.05.2017 passed by the learned S.D.J.M., Jamui is set aside.



The petitioners shall appear before the learned
court below and shall participate in the trial in right earnest.

The petition stands allowed accordingly.

(Ashutosh Kumar, J)

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