

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.312 of 2021

Arising Out of PS. Case No.-92 Year-2020 Thana- PANDARAK District- Patna

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1. SHARVAN KUMAR @ SHARVAN DAS, Son of Lakhan Das Resident of Village - East Pandarak, P.S.- Pandarak, District - Patna.
 2. Rekha Devi, Wife of Sharvan Kumar @ Sharvan Das Resident of Village - East Pandarak, P.S.- Pandarak, District - Patna.
 3. Raushan Kumar, Son of Sharvan Kumar @ Sharvan Das Resident of Village - East Pandarak, P.S.- Pandarak, District - Patna.
 4. Khushboo @ Khushboo Kumari, Daughter of Sharvan Kumar @ Sharvan Das Resident of Village - East Pandarak, P.S.- Pandarak, District - Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sanju Devi Wife of Vijay Das Resident of Village - Mamarkhabad, P.S. - Pandarak, District - Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ashok Kumar Jha
For the Respondent/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 17-08-2021 Heard Mr. Ashok Kumar Jha, learned counsel

for the appellants and Mr. Binay Krishna, learned Special

Public Prosecutor for the State.

This matter was heard on 25.06.2021 when
notice was issued to the informant and the appellants
were granted provisional bail.

The order dated 25.06.2021, referred to above,
could not be communicated to the court below as it was



pointed out by the office that perhaps notice has been issued to Opposite Party No. 2 on the mistaken impression that this is a complaint case.

The matter could not be communicated to the court below as the case was listed at the instance of the office for modification of the order dated 25.06.2021 for addition of the informant / complainant as Opposite Party No. 2.

The order, therefore, was modified on 30.06.2021 and Opposite Party No. 2 was permitted to be added as party respondent and a direction was issued for taking steps for issuance of notice on Opposite Party No. 2.

The learned advocate for the appellants has submitted that on that day only, i.e., on 30.06.2021, the appellants were arrested and taken into custody. However, because of the Opposite Party No. 2 entering into settlement with the appellants, both the appellants were granted bail by the court below.



On these facts, it has been urged by Mr. Ashok Kumar Jha, learned counsel for the appellants that this petition has now become infructuous.

The petition is thus dismissed as having become infructuous.

The interim order passed in this case stands withdrawn.

(Ashutosh Kumar, J)

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