

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31051 of 2021**

Arising Out of PS. Case No.-10 Year-2019 Thana- TANKUPPA District- Gaya

RUBI KUMARI Wife of Ashok Choudhary Resident of Village - Mehar, P.S.-
Tankupa, District - Gaya.

... .. Petitioner

Versus

1. The State of Bihar
2. Ashok Choudhary @ Ashok Kumar Choudhary Son of Mathura Choudhary
@ Mathur Choudhari Resident of Village - Mehar, P.S.- Tankupa, District -
Gaya.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 09-11-2022 Let the hard copy of the petition be taken on the
record.

The notice sent by registered post is said to have been refused. In this connection, the postal peon has given a note on the undelivered registered cover that “Opposite Party no. 2 refused to receive notice”. The process server met the mother of the opposite party no. 2 who received the notice and put her thumb impression.

The thumb impression of the mother of the opposite party no. 2 has been identified. In such circumstance, the notice is to be taken as validly served.

Since learned counsel for the petitioner submits that the accused Ashok Choudhary @ Ashok Kumar Choudhary has



failed to abide by the terms and conditions of bail, hence his bail bond be cancelled and he should be taken into custody, this Court is disposing of this application with a direction to the learned court below in whose jurisdiction the case is pending to give one opportunity to the accused to comply with the order of this Court and despite such opportunity if the accused fails to comply with the order/undertaking, his bail bond shall be cancelled and he would be taken into custody.

Learned court below shall pass appropriate order as indicated above within a period of six weeks from the date of receipt/production of a copy of this order.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

