

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34307 of 2018

Arising Out of PS. Case No.-235 Year-2017 Thana- DANAPUR District- Patna

Praveen Kumar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 33544 of 2018

Arising Out of PS. Case No.-231 Year-2017 Thana- DANAPUR District- Patna

Praveen Kumar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 34307 of 2018)

For the Petitioner/s : Mr. Amit Srivastava, Sr. Advocate

Mr. Puneet Siddharth, Advocate

For the Opposite Party/s : Mr. Yogendra Kr. Singh, APP

(In CRIMINAL MISCELLANEOUS No. 33544 of 2018)

For the Petitioner/s : Mr. Amit Srivastava, Sr. Advocate

Mr. Puneet Siddharth, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

17 28-06-2022

I.A. No. 02 of 2019 in Cr. Misc. No. 34307 of 2018

Heard Mr. Amit Srivastava, learned senior counsel for
the petitioner and Mr. Satyendra Narayan Singh, learned APP
for the State.

No one appears on behalf of the informant.

Mr. Amit Srivastava, learned senior counsel appearing



on behalf of the petitioner fairly submits that vide order dated 13.06.2018 passed in Cr. Misc. No.34307 of 2018, this Court has been pleased to grant provisional bail to the petitioner for a period of one month from the date of his release, in order to fulfill his own promise and undertaking provided in compromise petition and that as has been submitted before this court that he would execute the sale deed in respect of flat, in question, with further condition that the petitioner shall submit his passport, if he possesses any passport, in the court below at the time of submission of the bail bond and shall file an affidavit in this Court after execution of the sale deed.

It is submitted that in compliance of the order of this Court, sale deed has been executed in favour of the informant and he has been put in possession of the flat, in question. It is also submitted that further a deed of relinquishment has also been executed in favour of the informant in terms of the compromise petition by the order of this Court and taking into account the aforesaid facts, the provisional bail of the petitioner has also been made absolute vide order dated 20.08.2018. It is further submitted that now all the disputes between the parties got settled and as such the passport of the petitioner, deposited in the learned court below, is required to be released in his



favour, because the sons of the petitioner are studying abroad and petitioner requires to visit his sons.

From the materials available on record, it appears that for the last several occasions, no one is appearing on behalf of the informant and it appears that he lost his interest on being found his grievance redressed.

Counsel for the State fairly submits that in view of the aforesaid facts, the prayer made on behalf of the petitioner in the interlocutory application, bearing I.A. No. 02 of 2019 may be considered sympathetically.

Having considered the submissions made on behalf of the learned senior counsel for the petitioner and the learned APP for the State, the present interlocutory application stands allowed and the learned court below is directed to release the passport of the petitioner in his favour forthwith. However, the petitioner is directed that whenever he will leave the country, he would be under obligation to inform the learned trial court with regard to the same.

I.A. No. 02 of 2019 stands disposed of.

(Harish Kumar, J)

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