

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.744 of 2017

Arising Out of PS. Case No.-44 Year-2014 Thana- JALALPUR District- Saran

Abhay Kumar Mishra @ Abhay Mishra, Son of Baleshwar Mishra, Resident of Village Mala, P.S Chapra Muffasil, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Director General Of Police, Bihar, Patna
2. Sanjeev Ranjan Sinha, the Audit Incharge, 306-307, Verma Centre, Boring Road Chauraha, P.S. Krishnapuri, District-Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.Manoj Kumar, AC to GP-4

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 02-08-2022 No one appears for the petitioner. Mr. Manoj Kumar, learned AC to GP-4 is present for the State.

Petitioner in the present case is seeking quashing of the First Information Report being Jalalpur P.S. Case No.44 of 2014 dated 05.04.2014 registered for the offences under Sections 406, 403 and 420 of the Indian Penal Code.

Since no one appears for the petitioner, the present stage of the case could not be brought to the notice of this Court. Learned counsel for the State has, however, drawn the attention of this Court towards the order dated 26.06.2015 passed by a learned coordinate Bench of this Court in Cr.Misc.No.15572 of 2015 (Annexure-P/6) from



which it appears that while seeking anticipatory bail the petitioner gave an undertaking that he will make payment of Rs.5,61,000/- within three months. Considering the undertaking of the petitioner, the learned coordinate Bench had allowed the privilege of anticipatory bail but had made it clear that if the petitioner fails to deposit Rs.5,61,000/- within three months in the account of the firm/company, the learned court below shall cancel the bail bond of the petitioner.

Learned counsel for the State submits that the petitioner failed to deposit the said amount of Rs.5,61,000/- as a result whereof his bail bond was cancelled. The learned coordinate Bench rejected his prayer for extension of time to deposit the amount in Cr.Misc.No.35333 of 2015.

In the given facts and circumstances of the case, this Court is of the considered opinion that no case for quashing of the FIR is made out. The FIR was lodged in the year 2014 and during last eight years the case might have proceeded.

This Court is, therefore, disposing of this writ application without interfering with the First Information



Report but with liberty to the petitioner that if so advised he may seek his remedy in case he is aggrieved with the result of the investigation and subsequent order of the learned court below, if any.

(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'.

