

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22512 of 2018

Arising Out of PS. Case No.-113 Year-2015 Thana- MOHANIYA District- Kaimur (Bhabua)

Krishna Kant Singh S/o Shri Muni Singh, R/o Vill.- Bhatawalia, P.S.-
Mohania, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. The Bihar State Food and Civil Supply Corporation L.T.D. Kaimur at Bhabua.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nand Singh

For the Opposite Party/s : Mr.Sri Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 05-07-2023 Heard learned counsel for petitioner, learned counsel
for the BSFC and learned Additional Public Prosecutor.

This application is filed for quashing the order dated 14.12.2017 passed by learned Judicial Magistrate 1st Class, Gaya passed in Mohania P.S. Case No. 113/2015, Gr. No. 656/2015, whereby the learned Judicial Magistrate, Gaya, was pleased to cancel the bail bond and order for the issuance of N.B.W. against the petitioner.

It has been submitted by learned counsel for the petitioner that the bail bonds of the petitioners was cancelled on 14.12.2017 because he could not appear in the case as he was transferred out of Gaya and was posted at Bahbua and due to



non-communication of date, he could not appear and he further submits that he undertakes to appear in the case either personally or through his lawyer so that the trial proceeds.

Learned counsel for the BSFC has submitted that they want to file counter affidavit and they want an adjournment.

I have considered the submission of the parties. No useful purpose will be served by adjourning the case and granting time to BSFC for filing counter affidavit.

In the interest of justice, this application is allowed. The order dated 14.12.2017 passed by learned Judicial Magistrate 1st Class, Gaya passed in Mohania P.S. Case No. 113/2015, Gr. No. 656/2015 is hereby quashed.

The petitioner is directed to appear in the Court below and furnish a fresh bail bond and thereafter he shall be represented regularly in the Court below through his lawyer and he will appear personally as and when directed and required in the Court below.

(Sandeep Kumar, J)

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