

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71983 of 2019

Arising Out of PS. Case No.-2647 Year-2003 Thana- PATNA COMPLAINT CASE District-
Patna

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1. MANJU DEVI Wife of Bhuneshwar Mishra Resident of Village - Chitkohra, P.S.- Phulwari, Distt - Patna.
 2. Bina Devi Wife of Arun Kumar Gupta @ Arun Sao Resident of Village - Bharatpura, P.S.- Dulhin Bazar, Distt - Patna.
 3. Arun Kumar Gupta @ Arun Sao Son of Late Nathuni Prasad Resident of Village - Bharatpura, P.S.- Dulhin Bazar, Distt - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Arun Kumar Mourya Son of Sri Nathuni Prasad Resident of Village - Sherghati, P.S.- Sherghati, Distt - Gaya, at present posted as Assistant in Civil Court, Chaibasa. (Jharkhand)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar
For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-05-2023 Heard learned counsel for petitioner and learned
Additional Public Prosecutor.

This application is filed for quashing the order dated
14.02.2019 passed in Complaint Case No -2647© of 2023/ Trial
No. 393 of 2019, the learned Judicial Magistrate 1st Class, Patna,
whereby and where under she was pleased to issue permanent
warrant against the petitioners declaring them as absconded.

Learned counsel for the petitioner has submits that by
the impugned order dated 14.02.2019, the learned Magistrate



has declared the petitioner as absconder, though no notice of summon was ever served upon the petitioner. Two petitioners are ladies and all of them were granted bail earlier. He further submits that the petitioners are ready to face the trial and no useful purpose will be served by sending the petitioners to jail.

The learned APP has vehemently opposed the application.

In view of the submission of the learned counsel for the petitioners, the impugned order is set aside

The petitioners are directed to appear in the Court below where they shall be released on furnishing fresh bail bonds in view of the fact that they were earlier granted bail and thereafter they will cooperate in the disposal of the case and they will not again abscond in the proceeding.

With the aforesaid observation and direction, this application is disposed of.

(Sandeep Kumar, J)

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