

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29746 of 2024

Arising Out of PS. Case No.-131 Year-1994 Thana- SUPAUL District- Supaul

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Nagendra Prasad Sah @ Nagendra Sah SON OF LATE BHOLA SAH
Mohalla -Ward No. 34 House No. 72/A Amgola Khajoorbanni P.S. -Musahri
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mani Bhushan Kumar

For the Opposite Party/s : Mr.Kanhiya Kishor

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 04-07-2024 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

2. The present application has been filed for quashing the order dated 22.06.2022 passed by the S.D.J.M., Supaul in G.R. No. 295 of 1994, Supaul P.S. Case No. 131 of 1994 registered for the offences under Section 420, 109, 120B of the Indian Penal Code in which the Court below have issued permanent warrant of arrest against the petitioner.

3. It has been submitted by the learned counsel for the petitioner that the petitioner was on bail but due to miscommunication, his bail bond was cancelled and subsequently permanent warrant of arrest has been issued against him. He further submits that he is a retired person about



80 years old and it was never his his intention not to co-operate in the trial. Learned counsel for the petitioner further submits that petitioner is ready to appear and co-operate in the trial.

4. In the interest of justice, this application is allowed.

5. The order dated dated 22.06.2022 passed by the S.D.J.M., Supaul in G.R. No. 295 of 1994, Supaul P.S. Case No. 131 of 1994 is quashed.

6. The petitioner will appear and file fresh bail bonds. When the petitioner appears, he will not be taken into custody and shall be released on executing a fresh bail bond of Rupees Ten Thousand. Thereafter, the charges against the petitioner shall be framed if not already framed.

7. The petitioner will appear on each and every date till charges are framed and thereafter the petitioner will co-operate by regularly appearing personally or through his Advocate.

8. With the aforesaid observation, this application is allowed.

(Sandeep Kumar, J)

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