

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26107 of 2024

Arising Out of PS. Case No.-37 Year-2022 Thana- RAUTA District- Purnia

Md. Mohsar @ Mohsar Son of Mehboob @ Md. Mehboob Alam Resident of
Village- Maujabari, P.S.- Rauta, Dist.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Md. Safi Anwar Son of Azimuddin Resident of Village- Mirganj, P.S.-
Rauta, Dist.- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Helal Ahmad, Advocate
For the State : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-07-2024 Heard the parties.

2. The petitioner has moved the Court for the
following reliefs:

“That this application on behalf of the petitioner above named, is for quashing of order dated 25.5.2023 and order dated 24-07-2023 passed in Spl. (POCSO) Case No.54/2023, arising out of Rauta P.S. Case No. 37/2022, GR No.1600/2022 (State V/S Md. Mohsar and Others) passed by Learned Additional Session Judge 7th Cum Spl. Judge (POCSO), Purnea whereby and where under summon and warrant has been issued against the petitioner without cancellation of bail bond furnished by the petitioner on 12- 04-2022 and during pendency of this case stay the impugned order dated 24-07-2023 passed by Learned Additional Session Judge (POCSO), Purnea pending before Learned Additional Session Judge 7th Cum Spl Judge (POCSO), Purnea.”



3. Learned counsel for the petitioner submits that the non-bailable warrant of arrest has been issued wrongfully. He further submits that the petitioner will co-operate in his trial and he will appear personally or through his lawyer on each and every date to be fixed by the Court below.

4. Considering the undertaking of the petitioner and in the interest of justice, this application is allowed.

5. The orders dated 25.02.2023 and 24.07.2023 in Spl. (POCSO) Case No. 54 of 2023 arising out of Rauta P.S. Case No. 37 of 2022, GR No. 1600 of 2022 passed by learned Additional Sessions Judge 7th Cum Special Judge (POCSO), Purnea is hereby quashed.

6. The petitioner will remain on the same bail bond and participate in the trial. Any further non-cooperation by the petitioner will result in the cancellation of his bail bond.

(Sandeep Kumar, J)

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