IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52834 of 2024

Arising Out of PS. Case No.-564 Year-1997 Thana- KHAJANCHI HAT District- Purnia

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VISHWANATH LAL @ VISHWANATH DAYAL S/O LATE RAM JATAN LAL R/O MOHALLA- CALTEX CHOWK KISHANGANJ, P.S- KISHANGANJ, DISTT.- KISHANGANJ.

... ... Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Bimal Kumar
For the Opposite Party/s : Mr.Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-08-2024 Heard the parties.

2. The petitioner is aggrieved by the the order dated 14.03.2022 passed by the learned Exclusive Special Excise Judge-01, Purnea in Special Excise Case No. 733 of 2019 arising out of K. Hat P.S. Case No. 564 of 1997.

3. I have gone through the records of the case.

4. In a case registered in the year 1997, chargesheet has been submitted in the year 2005 and the cognizance has been taken on 6.12.2008 and thereafter the petitioner has been declared as an permanent absonder.

5. Learned counsel for the petitioner submits that the petitioner has no knowledge about the case and therefore he has been declared as permanent absonder.

6. Learned counsel for the petitioner submits that the petitioner will appear in the Court below regularly and will participate in the disposal of the case.

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

8. Accordingly, the order dated 14.03.2022 passed by the learned Exclusive Special Excise Judge-01, Purnea in Special Excise Case No. 733 of 2019 arising out of K. Hat P.S. Case No. 564 of 1997 is hereby quashed.

9. The appearance of the petitioner in the Court below shall be treated as his first appearance after cognizance and the petitioner shall be released on furnishing bail bonds.

10. The petitioner is directed to co-operate in the trial either appearing personally or through his lawyer on the dates fixed by the trial Court.

(Sandeep Kumar, J)

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