

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19269 of 2022**

Arising Out of PS. Case No.-116 Year-2011 Thana- DEWARIA District- Muzaffarpur

Upendra Kumar @ Apendra Kumar S/O Bidha Rai Resident Of Village-
Dubarana (Deoriya), P.S.- Deoriya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mrs. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 21-03-2025 Heard the learned counsel for the petitioner as well as
the learned APP for the State.

2. This is an application for quashing of the order dated 23.10.2019 passed in S. Tr. No. 139 of 2012 arising out of Deoriya P.S. Case No. 116 of 2011 by the learned Additional Sessions Judge-X, Muzaffarpur by which bail bond of the petitioner was cancelled and non-bailable warrant of arrest has been issued and section 82/83 process has also been issued.

3. It has been submitted by the learned counsel for the petitioner that the petitioner had entrusted his pairavi to the local lawyer and has appeared regularly through his lawyer or personally in this case which is Sessions Trial of 2012. He further submits that subsequently he has been declared permanent absconder also. The charges have already been framed.



4. The learned counsel for the petitioner submits that the petitioner undertakes to appear regularly in the Court below on each day either personally or through his advocate and he will not delay the disposal of the case.

5. In these circumstances, when the petitioner is undertaking to appear regularly in the Court below, no useful purpose will be served by making him to go to jail because he has been declared absconder.

6. In view of the above, this application is allowed and the impugned order dated 23.10.2019 passed in S. Tr. No. 139 of 2012 arising out of Deoriya P.S. Case No. 116 of 2011 by the learned Additional Sessions Judge-X, Muzaffarpur is hereby quashed.

7. The petitioner will appear before the Court below within two weeks from today with a certified copy of the order and the Court below will thereafter proceed against the petitioner in accordance with law.

8. Let a copy of this order be communicated to the Principal District and Sessions Judge, Muzaffarpur through FAX for its compliance forthwith.

(Sandeep Kumar, J)

Shishir/-

U		T	
---	--	---	--

