

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67494 of 2021

Arising Out of PS. Case No.-31 Year-1992 Thana- NAUHATTA District- Rohtas

SUBODH KUMAR SHRIVASTAVA S/O LATE RAJA LAL R/o village-
Nauhatta, P.S.- Nauhatta, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Verma
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 27-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. This application has been filed on behalf of the petitioner for quashing the order dated 22.10.2011 by which bailable warrant of arrest has been issued against the petitioner, for quashing the order dated 31.01.2013 by which non-bailable warrant of arrest has been issued against the petitioner, for quashing the order dated 21.05.2015 by which the process under Section 82 of the Code of Criminal Procedure, for quashing the order dated 26.10.2016 by which the process under Section 83 of the Code of Criminal Procedure has been issued against the petitioner and also for quashing the order dated 16.12.2017 by which the petitioner has been declared an absconder passed by the Sub-Divisional Judicial Magistrate, Buxar in connection



with G.R. No. 720 of 1992 arising out of Nauhatta P.S. Case No. 31 of 1992.

3. Learned counsel for the petitioner submits that the petitioner was not informed about the stage of the case by his lawyer appearing in the Court below and because of the same he could not appear as and when the Court directed.

4. Learned counsel for the petitioner further submits that the petitioner undertakes to appear regularly in the Court below as and when required and directed henceforth.

5. I am of the considered view that no useful purpose will be served by sending the petitioner to jail when the petitioner is giving an undertaking that he will appear before the Court below regularly and face trial.

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

7. Accordingly, the orders dated 22.10.2011, 31.01.2013, 21.05.2015, 26.10.2016 and 16.12.2017 passed by the Sub-Divisional Judicial Magistrate, Buxar in connection with G.R. No. 720 of 1992 arising out of Nauhatta P.S. Case No. 31 of 1992 are hereby quashed.

8. The petitioner is directed to appear before the Court below within a month and after his appearance he shall be



released after executing fresh bail bonds and the bailors should be the close blood relatives of the petitioner.

9. As a condition of this order, the petitioner is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on each and every date fixed by the trial Court. Non-compliance of the condition will result in cancellation of the bail bonds of the petitioner.

(Sandeep Kumar, J)

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