

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31117 of 2013

Arising Out of PS.Case No. -41 Year- 2012 Thana -BEUR District- PATNA

1. Nageshwar Prasad Singh, S/O Late Lakshmi Narayan Singh, resident of village- Maranchi, Police Station- Punpun, District- Patna, A/P resident of mohalla- Pragati Nagar, Sipara, P.S- Beur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Reghu Nath Rai, S/O Late Ram Chandra Rai, resident of village- Sipara, P.S- Beur, District- Patna.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Prasad Singh, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 21-08-2015

Considering that the Petitioner seeks cancellation of bail of the Opposite Party No.2 on merits, I am not inclined to interfere with the order dated 20.03.2013 passed by the Additional Sessions Judge, VII, Patna, in B.P. No.3358 of 2012 arising out of Beur P.S. Case No.41 of 2012.

However, since the Petitioner submits that the Opposite Party No.2 indulged in a case of murder for which Beur P.S. Case No.153 of 2013 was instituted against him and he has criminal antecedents, the Court below shall direct the Opposite Party No.2 to physically appear on each date of the trial and if he fails to do so, his bail bond shall be cancelled.

Also if he is found indulging in such similar activities,

his bail bond shall be cancelled on the ground of misuse of privilege of bail.

The Trial Court is further directed to expedite the trial for which reason the Trial Court shall send a list of the witnesses fixing specific dates for their examination along with a copy of this order to the concerned Superintendent of Police, who is directed to ensure the attendance of the witnesses on the date fixed so that there is no further delay in the trial.

The application stands disposed off with the aforesaid observation/direction.

(Anjana Prakash, J)

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