

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36388 of 2016**

Arising Out of PS.Case No. -330 Year- 2003 Thana -HAJIPUR SADAR District-  
VAISHALI(HAJIPUR)

=====

Arun Kumar Singh @ Arun Singh, Son of Late Baijnath Singh, resident of  
village - Adalpur, P.S. Hajipur Sadar, District - Vaishali

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Anuj Kumar, Advocate

For the Opposite Party : Mr. Sri Shyam Kumar Singh (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

4 19-10-2016

Heard learned counsel for the petitioner and the  
learned counsel representing the State.

The petitioner wants to renew the prayer of bail  
which was earlier rejected by order dated 30.01.2016 passed in  
Cri. Misc. No. 58236 of 2015, on the ground that despite of all the  
steps taken by the trial Judge neither the informant nor any witness  
has turned up for examination, resulting, the petitioner is suffering  
in custody since 03.07.2015, two brothers have faced trial but they  
have been acquitted, to which the learned A.P.P. opposes by  
submitting that petitioner remained absconding in the case of the  
year 2003 wherein chargesheet was also submitted showing the  
petitioner as absconder and further his prayer of pre-arrest bail  
was rejected by order dated 09.04.2012 passed in Cri. Misc. No.  
11898 of 2012, but inspite of that the petitioner did not surrender

earlier and surrendered on 03.07.2015.

In the facts and circumstances stated above, at present, I am not inclined to enlarge the petitioner on bail, considering the period of abscondance. However, the learned trial Court is directed to take all positive steps to examine the informant within two months from the date of receipt/production of a copy of this order, failing which the petitioner shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge VIII, Vaishali at Hajipur, in connection with S. Tr. No. 256 of 2015 arising out of Hajipur Sadar P.S. Case No.330 of 2003, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail. Accordingly this Criminal Miscellaneous is hereby disposed of.

**(Jitendra Mohan Sharma, J.)**

Rajiv/-

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