

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6775 of 2014

Arising Out of PS.Case No. -40 Year- 2012 Thana -NASRIGANJ District- SASARAM (ROHTAS)

=====

Vikash Kumar @ Babu Singh @ Vikash, S/o Late Buchun Singh, Resident
of Village- Bardiha, P.S.- Nasriganj, District- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar
2. Shiv Prasad Singh, S/o Satya Narayan Singh, R/o Village – Bardiha,
Police Station – Nasriganj, District – Rohtas.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Madhuri Lata(App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

13/ 02-08-2017

Petitioner Vikash Kumar @ Babu Singh @

Vikash was granted provisional bail for a period of eight weeks,
vide order dated 16.07.2014 on the ground of serious heart ailment
of his mother, in connection with Sessions Trial No. 53 of 2013
arising out of Nasriganj P.S. Case No. 40 of 2012, registered for
the offences punishable under Sections 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

The accusation against the petitioner is of
causing gunshot injury to Bhaiya Ram, as a result of which he
succumbed to the injuries.

However, the petitioner did not surrender
within eight weeks. Thereafter, vide order dated 09.09.2015, the
learned trial Court was directed to take all steps for getting the



petitioner arrested. Accordingly, S.P., Rohtas at Sasaram was also directed for doing the needful. Thereafter, on several occasions, the matter was adjourned and ultimately vide order dated 27.07.2016, Shiv Prasad Singh, who is the deponent of the Cr. Misc. Application filed on behalf of Vikash Kumar, was noticed and directed to file show cause.

Learned Senior counsel while filing show cause reply on behalf of opposite party no. 2 Shiv Prasad Singh submits that the petitioner Vikash Kumar @ Babu Singh @ Vikash has been arrested in connection with Nasriganj P.S. Case No. 97 of 2017 and remanded in the present case, being Sessions Trial No. 53 of 2013 arising out of Nasriganj P.S. Case No. 40 of 2012 on 31.05.2017 and since then he is in custody. The certified copy of the order of the learned Court below dated 31.05.2017, passed in Sessions Trial No. 53 of 2013 has been brought on record as Annexure-A to the show cause reply.

Since the petitioner Vikash Kumar @ Babu Singh @ Vikash has already been arrested, the show cause reply of opposite party no. 2 is accepted. However, considering the conduct of the petitioner, it is expected from the learned trial Court not to entertain any bail application on behalf of the petitioner Vikash Kumar @ Babu Singh @ Vikash henceforth, in



connection with Sessions Trial No. 53 of 2013, arising out of Nasriganj P.S. Case No. 40 of 2012, pending in the Court of learned Ad-hoc Additional Sessions Judge-II, Rohtas at Sasaram and make all efforts to conclude the trial expeditiously.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

DKS/-

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

