

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.16792 of 2019**

Arising Out of PS. Case No.-75 Year-2018 Thana- RIVILGANJ District- Saran

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DEVENDRA RAI @ DEVENDRA KUMAR Son of Late Dharmnath Prasad  
Yadav Resident of Village/Muhallah- Jalalpur, P.S.- Revilganj, District- Saran  
at Chapra. ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rajesh Roy, Adv.  
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI  
ORAL ORDER**

3      17-07-2019                      Heard learned counsel for the petitioner as well as  
  
learned APP.

Gone through the report submitted by the learned  
  
lower court and that of Superintendent of Police, Saran at  
  
Chapra.

It is evident that in pursuance of order dated  
  
27.03.2019, when the witnesses were produced, one of the  
  
accused, namely, Prakash Kumar absconded and that being so,  
  
trial has been held up.

Irrespective of the fact that petitioner happens to be  
  
under custody but, the fact remains that delaying trial is on  
  
account of abscondance of his own associate. Prayer for bail is  
  
rejected.

**(Aditya Kumar Trivedi, J)**

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