

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21990 of 2020

Arising Out of PS. Case No.-209 Year-2011 Thana- BARAUNI District- Begusarai

Chandan Singh Son Of Arun Singh Resident Of Village- Chakballi, P.S.-
Barauni (Refinery O.P.), District- Begusarai ... Petitioner
Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar, Advocate
For the Opposite Party/s : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 23-11-2020 Heard learned counsel for the petitioner, the State and the informant through video conferencing.

Let the previous order dated 5.10.2020 be read as order no.4 in place of order no.2, which is a typographical error.

Report of the trial court (Additional Sessions Judge I, Begusarai) dated 12.10.2020, received in light of order of this Court dated 5.10.2020, reveals that the case records of Sessions Trial No. 88 of 2012, arising out of Barauni Refinery Police Station Case No. 209/2012, is fixed for 19.10.2020 for recording statement of accused persons u/s 313 Cr.P.C., whereas the case record of Barauni Police Station Case No. 189 of 2016 is fixed for 19.10.2020 for hearing on the point of charge.

It is submitted on behalf of the petitioner that deliberately the accused persons have evaded their appearance as a result of which charges have not been framed so far. In this regard, the petitioner has also filed an application in the court below on 13.12.2019 (Annexure 5) for cancellation of bail bond of the accused persons of Barauni Police Station Case No. 189 of 2016. In paragraph 26 of the bail petition, the petitioner has averred that the informant and others, who are accused in



Barauni Police Station Case No. 189/2016, are not co-operating in the trial of the counter case pending before the Additional Sessions Judge I, Begusarai, though the petitioner is in custody since 10.10.2015.

Learned counsel for the informant submits that the informant undertakes to co-operate with the trial.

In view of the facts and circumstances of the case as well as in view of report of the Additional Sessions Judge I, Begusarai dated 12.10.2020, prayer for bail of the petitioner is refused.

The trial court is directed to proceed with the application of the petitioner dated 13.12.2019 (Annexure 5) and to pass appropriate order including order of cancellation of bail bonds of the accused persons, if the court is of the opinion that they are not co-operating with the trial.

(Prabhat Kumar Singh, J)

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