

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.32960 of 2020**

Arising Out of PS. Case No.-18 Year-2019 Thana- CHERIYA BARIYARPUR District-
Begusarai

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LAXMI SAHNI @ LAXMAN SAHNI, Son of Bathu Sahni, R/O-VILLAGE-
KAROR, P.S. CHERIYA BARIYARPUR, DISTRICT BEGUSARAI

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

7 06-04-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

This is the second attempt of the petitioner to obtain

bail in connection with Cheriabariyarpur P.S. Case No. 18 of

2019 registered for the offences punishable under Sections

302/120B/34 of the Indian Penal Code.

Earlier the prayer for bail of the petitioner was

rejected by this Court vide order dated 23.01.2020 passed in Cr.

Misc. No. 4575 of 2020. While rejecting the prayer for bail of

this petitioner this Court has taken into consideration the



materials available on the record as also the fact that the co-accused Nunumani Ram had been granted bail by a learned Coordinate Bench of this Court.

By order dated 24.02.2021, this Court called for a report from the Superintendent of Police, Begusarai to know as to what steps have been taken so far to arrest the absconding accused namely Chandan Sahni. This order was passed after going through the report of the learned A.C.J.M. as contained in Letter No. 02 dated 06.01.2021 which shows that the case is still pending for commitment as the non-bailable warrant issued against the absconding accused were still unexecuted.

A report from the Superintendent of Police, Begusarai has been received by Letter No. 98 dated 31.03.2021. According to him, raids have been conducted to arrest the accused and now the name of the absconding accused Chandan Sahni has been recorded in the list of absconders and for his arrest even rewards have been declared. The latest report in this regard shows that process under Section 82 Cr.P.C. have also been effected against the absconding accused.

Considering all these above-mentioned facts, while refusing to grant bail to the petitioner at this stage, this Court expects that the learned court below shall take immediate steps



to proceed with the framing of charge and initiation of trial. It is expected that the trial will be concluded as expeditiously as possible preferably within a period of six months from today.

The Public Prosecutor in-charge of the case as well as the Superintendent of Police, Begusarai shall ensure that all the prosecution witnesses are produced in course of trial on the date fixed in the matter. The learned trial court shall not fix longer date in the case and the trial shall proceed on day to day basis.

For no reason attributable to the petitioner, if the trial is not concluded within a period of six months from today, he may renew his prayer for bail.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

