

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.1969 of 2018**

Arising Out of PS. Case No.- Year-1111 Thana- District-

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Kundan Singh @ Kundan Kr. Singh Son of Late Sadanand Singh, Resident of  
Village- Hasanpur, P.S.- Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary Police Department, Govt. of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The I.G. Jail, Govt. of Bihar, Patna.
5. The Jail Superintendent, Special Central Jail, Bhagalpur.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ghanshyam Choudhary, Advocate  
For the Respondent/s : Mr. Kumar Shanu, AC to AG

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

5      22-11-2022                      Petitioner in this writ application is seeking a direction to the respondent authorities to shift the petitioner from the Central Jail, Bhagalpur to Sub Jail, Rosera for producing him in the trials pending in the court of Rosera.

After hearing learned counsel for the petitioner on 25.07.2022. This court directed learned counsel for the State to seek instruction as to the present stage of the trials of the cases pending against the petitioner in Samastipur and Vaishali courts as also the present stage with respect to the trials pending in Rosera court. This court also called for a report as to the time likely to be taken in conclusion of the trial of the cases pending



at Samastipur, Vaishali and Rosera.

On the said date the learned counsel for the state undertook to file an affidavit giving the present stage of the trial.

Today, learned counsel for the petitioner has drawn the attention of this court towards the supplementary affidavit filed on behalf of the petitioner. It is stated that session trial no. 484 of 2015 is pending in the court of learned Additional District and Sessions Judge-II, Rosera is going on evidence. The session trial no. 228 of 2012 pending in the same court is fixed for the statement of the accused under section 313 Cr.P.C. A perusal of the statements made in the supplementary affidavit would show that some other cases pending at Samastipur and Vaishali are also fixed for evidence.

The State has filed a supplementary counter affidavit sworn by the Jail Superintendent, Central Jail, Muzaffarpur. It is stated therein that the petitioner has been transferred from the Special Central Jail, Bhagalpur to Central Jail, Muzaffarpur to ensure his production in the cases pending in the courts of Muzaffarpur, Samastipur and Vaishali and also to ensure the safety of the petitioner. Presently, he is confined in Central Jail, Muzaffarpur. He is said to be a life convict in session trial no. 295 of 2017 arising out of Bithan P.S. Case No. 14 of 2016. The



affidavit further discloses that there are 10 cases pending against the petitioner in the courts of Muzaffarpur, Samastipur, Vaishali and Sitamarhi districts and also in Bengaluru in the state of Karnataka.

The Jail Superintendent has given the the details of the cases pending against the petitioner and it is stated in paragraph 11 that the petitioner is being produced through video conferencing in different courts by the Superintendent, Central Jail, Muzaffarpur.

Having regard to the counter affidavit of the Jail Superintendent, this court finds that no further order need be passed in this writ application. The Jail Superintendent Muzaffarpur shall ensure that the petitioner is duly produced through video conferencing or as per the order of the learned trial court as the case may be as and when required in the session trials.

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'.

