

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41890 of 2024

Arising Out of PS. Case No.-385 Year-2021 Thana- KHAIRA District- Saran

Shoaib Raza @ Md. Hikayat son of Rustam Ali Village- Hardi Chapra Ps-
Khaira Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar, Adv

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 28-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The prayer for the bail of the petitioner in connection with S.Tr. No. 800/2023 arising out of Khaira P.S. Case No. 385 of 2021 has earlier been rejected vide order dated 03.08.2022 in Cr. Misc. No. 18042/2022 and vide order dated 05.01.2024 passed in Cr. Misc. No. 68836/2023.

3. Upon perusal of the Rejection order dated 05.01.2024, it transpires that after granting bail by this Hon'ble Court, one of the accused person involved in this present case is absconding, as such, there is no progress in the trial.

4. It is directed to the trial Court that in case the progress of the trial is being delayed by the non-appearance of the accused person then in that case, the trial Court is directed to



proceed the trial in the light of provisions laid down under Section 355 read with Section 356 of the Bhartiya Nagarik Suraksha Sanhita, 2023 and conclude the trial within six months.

6. Considering the above facts and circumstances, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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