

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77408 of 2024

Arising Out of PS. Case No.-360 Year-2007 Thana- BEGUSARAI TOWN District- Begusarai

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Suraj Singh @ Surajbhan Singh Son of Late Ram Nandan Singh Resident of
Village - Shankarwar Tola, P.S. - Mokama, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prabhakar Kumar Son of Late Ram Naresh Sharma Resident of Village -
Safapur, P.S. - Nayagaon, Presently Resident of Pokhariya, Ward No.30, P.S.
- Town, District - Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Advocate
		Mr. Pratik Kumar, Advocate
		Mr. Sarvottam Kumar, Advocate
For the Opposite Party/s :		Mr.

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

3 01-08-2025 In spite of service of notice, the O.P. No.2 has not
entered appearance.

2. The instant application under Section 407 of the
Code of Criminal Procedure has been taken up for
consideration.

3. The O.P. No. 2 is the informant in Begusarai Town
P.S. Case No. 360 of 2007, registered for the offences
punishable under Sections 302, 120(B)/34 of the Indian Penal



Code and Section 27 of the Arms Act pending before the Court of the 2nd Additional Sessions Judge-cum-Special Judge, MP/MLA Court, Begusarai.

4. The petitioner is one of the accused in the said case. It is revealed from the annexures attached with the instant petition specially Annexure-3 at page 29 that the trial of one Lutan Choudhary, in the same case has already been transferred to the Court of the learned Sessions Judge at Patna by a Co-ordinate Bench of this Court in Criminal Misc. No. 5020 of 2009, vide order dated 24.06.2009. The petitioner, being the co-accused, his trial should also be made by the same and identical Court. Moreover, the local sentiment in the Court of Begusarai is not favorable for the petitioner because this a case where a learned Additional Public Prosecutor was murdered at Begusarai in his residence. This incident raised serious commotion amongst the members of legal fraternity at Begusarai.

5. Considering the aspect of the matter, Begusarai Town P.S. Case No.360 of 2007 be transferred to the Court of learned Sessions Judge, Patna, for conducting trial against the present petitioner namely Suraj Singh @ Surajbhan Singh.

6. Let a copy of this order be transmitted to the Learned 2nd Additional Sessions Judge MP/MLA Court



Begusarai and the Learned Sessions Judge, Patna, for information and compliance.

7. The instant application is thus, allowed.

(Bibek Chaudhuri, J)

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