

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.670 of 2022

Arising Out of PS. Case No.-87 Year-2011 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Akhileshwar Kumar Singh Son Of Sri Bahadur Singh Resident Of Village -
Yamuna Malhari, P.S.- Emamganj, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Director General of Police, Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Senior Superintendent of Police, Gaya.
4. The Officer Incharge, P.S.- Imamganj, District - Gaya.
5. The Officer Incharge, P.S.- Konch, District - Gaya.
6. The Officer Incharge, Raniya Talab, District - Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Lalan Kumar, Advocate
For the State	:	Mr. Harun Quareshi, AC to SC-1

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

7 31-03-2026 The present writ petition has been preferred by the petitioner seeking direction to the respondents-police authorities to arrest the accused persons/Saket Kumar and Upendra Singh. The petitioner is also seeking direction to the Sessions Court to conclude the Sessions Trial No. 289 of 2015/587 of 2019 at the earliest by holding the trial on day to day basis.

2. In course of hearing, learned counsel for the petitioner also informs this Court that the concerned Court is already taking steps to arrest the accused persons/Saket Kumar and Upendra Singh as both of them have been declared



absconder and Upendra Singh has been even arrested subsequently by the police, but Saket Kumar is still at large.

3. Heard learned counsel for the petitioner and learned AC to SC-1 for the State.

4. Learned counsel for the petitioner submits that in the interest of justice, the accused is required to be arrested and trial is required to be concluded at the earliest, but the same is not being done.

5. However, learned counsel for the State submits that one accused viz., Upendra Singh has been already arrested after issuance of process by the Court concerned and even in regard to the accused/Saket Kumar, the concerned Court is taking step like issuing appropriate process to apprehend him and if he is not arrested by the police till date, it may be brought to the notice by the petitioner to learned Court for execution of the arrest warrant issued by the Court below. As far as conclusion of the trial bearing Sessions Trial No. 289 of 2015/587 of 2019 is concerned, learned counsel for the State submits that the trial is at advance stage and as per report from learned Trial Court, trial is likely to be concluded within six months.

6. I considered the submissions advanced by both the parties and perused the materials on record.



7. Undisputedly, only one accused/Saket Kumar is at large and appropriate process has been admittedly issued by the concerned Court to apprehend him and if the police is not executing the arrest warrant issued by learned Court below, the Court is required to take needful steps to get the warrant of arrest issued against the accused/Saket Kumar executed. In regard to conclusion of Sessions Trial No. 289 of 2015/587 of 2019, the Court below is also requested to conclude the trial at the earliest by taking needful steps.

8. The present writ petition is disposed of, accordingly.

9. Send a copy of this order to learned Trial Court conducting the Sessions Trial No. 289 of 2015/587 of 2019, arising out of Magadh Medical College P.S. Case No. 87 of 2011.

(Jitendra Kumar, J)

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