

Court of the Additional Sessions Judge II, Patna
ST –118(A)/2009 CIS 1000188/2019
Arising out of Budha Colony PS case no 185/2008
State of Bihar Versus Rahul Kumar & Others

SN	Date	Order With Signature	Office Action with date
17/07/26		1. All three accused 1. Rahul Kumar Sahani 2. Dhiraj Kumar 3. Akash Kumar are absent. Case called out again and again but no body turned up before the court on behalf of the accused. 2. Perused the case record. On perusal of the case record it transpires that aforesaid accused persons due to absence of the accused Rahul Kumar and Dhiraj Kumar their bail bond were canceled on 26.08.2010 and on 02.07.2015 due to absence of accused Akash Kumar his bail bond was canceled and an order was passed for issuance NBW against the aforesaid accused persons and accordingly NBW were issued on 08.04.2011 and 29.03.2015 respectively but on the aforesaid processes neither accused persons were produced by the police officials of the concerned PS nor the accused persons surrendered himself before the court then on 18.01.2016 again NBWs were issued against the accused persons thereafter on 30.05.2019 processes u/s 82 and 83 or Cr.P.C. were issued against the accused persons despite of that accused persons were not produced before the court by the police officials of concerned PS. 3. Case record further reveals that due to absence of aforesaid accused persons the another accused persons who present in the case were suffering due to which a case record of the aforesaid accused persons was separated vide order dated 07.08.2019 vide session trial no-118/2009 CIS No-1000188 and since then the aforesaid case record is running for appearance of the aforesaid all three accused persons. 4. From the aforesaid facts and circumstances as well as the conduct of the aforesaid accused persons it appears that there is no probability to appear of the accused persons in near future therefore they are declared absconder and case record was fixed for evidence under the provision of 299 of Cr.P.C. If prosecution is willing to produce evidence, be must produced its evidence on next date i.e. 20.07.2026 under the provision of section 299 of Cr.P.C. 5. Let the case record be put up 20.07.2026 for evidence under the provision of section 299 of Cr.P.C.	

Written and corrected by

Dhananjay Kumar Mishra
Additional Sessions Judge II, Patna

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1. All four accused persons are absent. Ld. APP is also absent.
2. On calling the case neither any person appeared on behalf of the accused persons nor on behalf of the prosecution.
3. Case record was put up for prosecution evidence under the provision of 299 of Cr.P.C. but no any hazari of the witness filed nor any time petition filed on behalf of the prosecution.
4. From the aforesaid conduct of the prosecution it appears prosecution is not willing to produce any witnesses therefore the prosecution evidence is closed.
5. As in the aforesaid sole accused has been declared absconder vide order dated 17.07.2026 therefore office is directed to issue permanent warrant against him.
6. Let the case record be consigned to the record room but only after all due diligence and a direction to the record keeper to keep the record safe so that it may be produced whenever required by the court.

Additional Sessions Judge II, Patna