

**In the court of BRAJESH KUMAR SINGH  
Additional Sessions Judge-VI, Danapur  
Session Trial No:- 230 (A)/2017  
{Arising out of Bihta P.S Case No.-340/2016}**

**ORDER  
16-12-2022**

Present:- Sonu Kumar-Accused

:- Shri Ashok Kumar Singh, Ld. Counsel for the Informant

:- Shri Ramkeshwar Pd. Ld. Addl. P.P for the State.

Today, the case was fixed for cross examination of P-W-4 in as much as on 15-12-2022, the accused refused to cross examine the above said witness for the reason that his counsel's mother died on 13-12-2022, and hence, the counsel was not available for cross examination. However, he agreed to cross examine the witness on the next date i.e. 16-12-2022. Today i.e. 16-12-2022, when the witness appeared and the accused was asked to cross examine, he again moved an application praying for 15 days time on the same ground.

From the perusal of order sheets, it appears that, at every stage accused is delaying the proceedings on one pretext or other. It is relevant to note that on 08-04-2022, 12-04-2022, 27-04-2022, 28-04-2022, 30-04-2022, 18-05-2022, 06-06-2022, 24-06-2022, 18-07-2022, 10-08-2022, and 12-08-2022 accused deliberately avoided the proceedings of the court by not appearing on one excuse or other. This shows the conduct of accused, and his non-belief in the judicial process. The accused is adopting obstructionist approach and moving malicious applications claiming adjournments on regular basis. The fact remains that this accused has been creating stumbling block in completing the trial and is violating the very purpose for which bail is granted. As per records, the accused has already wasted at least 12 dates before framing the charges. He continues doing the same at the the evidence stage also. Today the prosecution witness no-4 has come exclusively for the cross examination. It was made clear to the accused last day itself that the witness has come from Ahmadabad, 1762 Km away from Patna, after availing leaves from his employer in a private job and the witness is likely to loose job if he would not rejoin after leaves are lapsed. The witness also has made an application showing his helplessness and produced the train tickets for his return today from Patna to Ahmadabad . Ticket is kept into the records. Despite the aforesaid predicaments, accused has recklessly chosen not to cross examine the witness. Furthermore, Ld. Counsel for the informant reported that accused is trying to win over the witnesses by taking adjournment on different grounds. In view of the above circumstances, no deferment is allowed. As the enough opportunities i.e. for two days the prosecution witness had waited for his cross examination, hence, the witness is hereby discharged. Put up this case on 24-12-2022 for prosecution witness of Doctor and I.O. O/c is directed to issue summons to the Doctor and I.O for their examination.

Dictated  
*B sin*  
16/12/2022  
Additional Sessions Judge-VI  
Danapur