

ITEM NO.27

COURT NO.8

SECTION II-A

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (Crl.) No(s). 3858-3859/2020

(Arising out of impugned final judgment and order dated 01-05-2019 in CRLM No. 26022/2018 01-05-2019 in CRLM No. 34590/2018 passed by the High Court Of Judicature At Patna)

AJAY KUMAR

Petitioner(s)

VERSUS

THE STATE OF BIHAR AND ANR. ETC.

Respondent(s)

IA No. 75349/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 75348/2020 - EXEMPTION FROM FILING O.T.

IA No. 45/2022 - EXEMPTION FROM FILING O.T.

IA No. 44/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 75351/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

Diary No(s). 18891/2020 (II-A)

(FOR CONDONATION OF DELAY IN FILING ON IA 88678/2020

FOR EXEMPTION FROM FILING O.T. ON IA 88680/2020

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 88681/2020

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 88682/2020

IA No. 88678/2020 - CONDONATION OF DELAY IN FILING

IA No. 88682/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 88680/2020 - EXEMPTION FROM FILING O.T.

IA No. 88681/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 12-08-2022 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA  
HON'BLE MR. JUSTICE VIKRAM NATH

For Petitioner(s) Mr. Smarhar Singh, AOR  
Ms. Shweta Kumari, Adv.  
Mr. Niraj Basoya, Adv.

For Respondent(s) Mr. Shivam Singh, Adv.  
Mr. Manish Kumar, AOR

Mr. Devashish Bharuka, AOR

UPON hearing the counsel the Court made the following  
O R D E R

SLP (Cr1.) No. 3858-3859 of 2020

The present Special Leave Petitions are filed by the informant against the order of grant of bail to Mohammad Shabir @ Jaheed @Tanveer @Shabir and Shankar Choudhary for the offences under Sections 302, 326 and 34 IPC read with Section 27 of the Arms Act, 1959.

On 04.04.2022, this Court was informed that the abovenamed accused are absconding and the trial court pronounced the Judgment in respect of other accused. This fact supports the argument of the informant that the accused will not face trial and shall avoid the process of law.

Mr. Shivam Singh, learned counsel appearing for the State, points out that even though best efforts, the State has not been able to apprehend the absconding accused.

In view of the said fact, the order of grant of bail passed on 01.05.2019 in respect of the abovenamed two accused stands set aside. The State shall make efforts to apprehend the accused and make them to face trial in accordance with law.

In view of above, the Special Leave Petitions are disposed of.

Pending interlocutory application(s), if any, is/are disposed of.

**Diary No(s). 18891/2020**

The learned counsel for the petitioner seeks leave to withdraw this Special Leave Petition.

The Special Leave Petition is, accordingly, dismissed as withdrawn.

**(JAYANT KUMAR ARORA)  
ASST. REGISTRAR-CUM-PS**

**(RENU BALA GAMBHIR)  
COURT MASTER**