

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2060 of 2022

Arising Out of PS. Case No.-542 Year-2020 Thana- HARSIDHI District- East Champaran

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SANDEEP KUMAR S/o- Raghunath Rai, Resident of Village- Haiyan Chapra
rupdih, P.S.- Muffasil Motihari, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

5 10-10-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Harsidhi P.S. Case No. 542 of 2020 lodged under Sections 395,
397 and 328 of Indian Penal Code.

As per prosecution, the F.I.R. has been lodged against
6 unknown persons against whom allegation of loot of truck and
the goods on the truck are there in the F.I.R..

Learned counsel for the petitioner submits that the
name of the petitioner has come in this case by the confessional
statement of accused Dharmveer Singh and Devendra Yadav. He
further submits that nothing has been recovered from the

possession of the petitioner and he was not put on T.I.P.. He further submits that petitioner is in custody since 17.08.2021. On the point of that petitioner has 5 criminal antecedent, learned counsel for the petitioner submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran at Motihari in connection with Harsidhi P.S. Case No. 542 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall

file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that they shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

Speedy trial is the constitutional vision of justice. Admittedly, there are in total 6 criminal cases pending against the present petitioner including present one and all the 6 cases belongs to the District Sessions Judge, East Champaran at Motihari, which are as follows :-

1. Harsidhi P.S. Case No. 547 of 2020,
2. Harsidhi P.S. Case No. 550 of 2020,
3. Yogapatti P.S. Case No. 505 of 2020.
4. Harsidhi P.S. Case No. 574 of 2020,
5. Motihari Muffasil P.S. Case No. 126 of 2018,
6. Harsidhi P.S. Case No. 542 of 2020

Let the District and Sessions Judge, East Champaran at Motihari is directed to do the needful, so that all the cases which are magisterial triable or sessions triable prior to commitment shall run before one Magistrate with one date and

the cases which are sessions triable after commitment shall run before one session court with one date and special cases shall run before Special Court.

Let the copy of this order be communicated to the District and Sessions Judge, East Champaran at Motihari for information and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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