

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16009 of 2022

Arising Out of PS. Case No.-540 Year-2021 Thana- Danapur District- Patna

Manish Kumar Son of Guddu Rai R/o Lodipur Chandamari, P.S.- Sahpur,
Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Adv.

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 24-08-2022 Let the defect, 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
Danapur P.S. Case No. 540 of 2021 lodged under Sections 401,
413, 414, 467, 468, 471 and 34 of the I.P.C.

As per the prosecution case, there is recovery of 9
motorcycles were made in this case.

Learned counsel for the petitioner submits that he has
been falsely implicated in this case. He submits that there is
only one motorcycle recovered from his conscious possession.
He further submits that he is in custody since 10.08.2021,
charge sheet has already been filed. On the point of his criminal

antecedent, he submits that he is ready to fulfill all the conditions whatsoever it may be shall imposed upon him by the Court. Learned counsel also submits that co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 11.07.2022 passed in Cr. Misc No. 485 of 2022.

Learned counsel for the State opposes the prayer for bail and submits that there are in total 4 cases of similar nature is pending against him.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I Danapur, Patna in connection with Danapur P.S. Case No. 540 of 2021, 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 resulted into cancellation of his bail bond.

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

file affidavit before the court about his relation with the petitioner.

Speedy trial is the constitutional vision of justice. Admittedly, there are 4 criminal cases pending against the present petitioner all belongs to Danapur Sub-Division, namely:

“i. Danapur P.S. Case No. 340 of 2021 lodged under Section 379 of the I.P.C.

ii. Rupaspur P.S. Case No. 380 of 2021 lodged under Section 379 of the I.P.C.

iii. Danapur P.S. Case No. 520 of 2021 lodged under Section 379 of the I.P.C.

iv. Danapur P.S. Case No. 540 of 2021 lodged under Sections 401, 413, 414, 467, 468, 471 and 34 of the I.P.C. (present case).”

Almost all four cases are relating to Police Stations situated in Danapur Sub-Division, Patna. The District and Sessions Judge, Patna is directed to do the needful so that all the four cases against the petitioner shall run before one Court one date that is to say, all magisterial trial cases before one Magistrate with one date, all sessions triable cases before one Sessions Judge with one date and all Special Court cases before the said Special Court with one date.

Let one copy of this order is directed to be placed before the District and Sessions Judge, Patna for perusal and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

sadique/-

U		T	
---	--	---	--