

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18519 of 2022**

Arising Out of PS. Case No.-199 Year-2021 Thana- MAHARAJGANJ District- Siwan

Amit Patel Son of Raj Vanshi Patel Resident of Village - Deoria, P.S. -  
Maharajganj Dist. - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Yogesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Rajendra Singh Shastri, APP.

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      17-08-2022                      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  
S.T. No. 20 of 2022 arising out of Maharajganj P.S. Case No.  
199 of 2021 lodged under Sections 307, 326, 302, 325/34 of the  
Indian Penal Code read with Section 27 of the Arms Act in  
which later on Section 216-A of the Indian Penal Code has been  
added.

Allegation of robbery and murder of two persons is  
there in the F.I.R. by three unknown persons.

Learned counsel for the petitioner submits that  
petitioner is not named in the F.I.R. He further submits that  
neither incriminating has been recovered from his possession

nor TIP has taken place in this case. Learned counsel for the petitioner further submits that his name has come in this case by virtue of the information provided by the spy of Police, save and except, there is no other material against him. Learned counsel for the petitioner further submits that petitioner is in custody since 17.08.2021, chargesheet has already been filed in this case. He further submits that it is true that there are 4 criminal cases pending against him which are described in paragraph no.3 of the petition, he submits that in all the cases petitioner is on bail. He further submits that petitioner is ready to fulfill all the conditions whatsoever it may be imposed by the Court.

Learned counsel for the State opposes the prayer for bail and submits that upon going through the case diary, it transpires that his name has figured in this case by virtue of the information provided by the spy.

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.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 9<sup>th</sup>, Siwan in connection with Maharajganj P.S. Case No. 199. 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.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he 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.

I am of this view that there are in total 5 cases (including present one) namely Maharajganj P.S. Case No. 226 of 2019, Case No. 285 of 2010, Case No. 299 of 2019, Case No. 264 of 2019 and Case No. 199 of 2021. Out of 5 cases, 4 cases are Session Triable and 1 case is Magisterial Triable. It is the Constitutional vision of justice that requires speedy trial for the accused, it is due to this reason Court below is directed to provide single date in all the cases and trial be conducted before

one and the same Session/ Magisterial Court.

Copy of this order may also be communicated to the  
District Court Siwan.

With this observation, the bail application stands  
allowed.

**(Dr. Anshuman, J.)**

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