

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20766 of 2022

Arising Out of PS. Case No.-459 Year-2021 Thana- PIRO District- Bhojpur

=====

Rahul Yadav @ Rahul Kumar S/o Lok Prakash Singh R/o village- Sikraul,
P.S.- Sikarhata, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

5 05-09-2022 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
Piro P.S. Case No. 459 of 2021 lodged under Section 392.

As per the prosecution case, the present case is related
to the loot made on truck which was going to collect the rice
from Patna to Sahar. F.I.R. has been lodged against 3 unknown
persons.

Learned counsel for the petitioner submits that he is
innocent and has committed no offence. He categorically
mentioned that there is no direct or indirect evidence against
him. Nothing was recovered from the possession of the

petitioner. He was also not put on T.I.P. He submits that petitioner is in custody since 18.12.2021, charge sheet has already been filed in this case. The petitioner himself accepts that there are in total 17 criminal cases pending against him. He further submits that he 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 and submits that there are 17 criminal cases pending against the petitioner and he is a trance District criminal and accused in Rohtas, Bhojpur and Buxar Territorial Division. His bail shall be granted to him. He may abscond and trial shall never concluded.

In the present facts and circumstances of this case and the submissions made above, so far as the merit of the present case is concerned, I am hereby directed to release the petitioner on 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 Chief Judicial Magistrate-VIII, Bhojpur at Ara in connection with Piro P.S. Case No. 459 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.

Speedy trial is the constitutional vision of justice. Admittedly, there are in total 18 cases pending against the petitioner (including the present one) and all cases are relating to different Districts which are shown below in the tabular chart:

Rohtas District and Session Judge	Bhojpur District and Session Judge	Buxar District and Session Judge
i. Bikramganj P.S. Case No. 88 of 2010 lodged under Section 394 of the I.P.C. ii. Bikramganj P.S. Case No. 182 of 2012 lodged under Section 329 of the I.P.C. iii. Bikramganj P.S. Case No. 212 of	i. Chauri P.S. Case No. 38 of 2010 lodged under Section of the I.P.C. ii. Barhara P.S. Case No. 300 of 2010 lodged under Section 394 of the I.P.C. iii. Imadpur P.S. Case No. 6 of 2014 lodged under	i. Nawanagar (Sonbarsha) P.S. Case No. 14 of 2016 read with Section 392 of the I.P.C. ii. Nawanagar P.S. Case No. 17 of 2016 lodged under Section 392 of the I.P.C.

2012 lodged under Sections 394/302/34 of the I.P.C. read with Section 27 of the Arms Act. iv. Bikramganj P.S. Case No. 266 of 2014 lodged under Section 394 of the I.P.C. v. Bikramganj P.S. Case No. 57 of 2016 lodged under Section 392 of the I.P.C. vi. Bikramganj P.S. Case No. 13 of 2016 lodged under Section 392 of the I.P.C. vii. Akohrigola P.S. Case No. 11 of 2016 lodged under Section 392 of the I.P.C. viii. Darihat P.S. Case No. 12 of 2016 lodged under Section 392 of the I.P.C. ix. Nokha P.S. Case No. 310 of 2017 lodged under Sections 392/411/414 of the I.P.C.	Section 392 of the I.P.C. read with Section 27 of the Arms Act. iv. Piro P.S. Case No. 209 of 2014 lodged under Section 392 of the I.P.C. v. Sikrahata P.S. Case No. 53 of 2016 lodged under Section 392 of the I.P.C. vi. Agion Bazar P.S. Case No. 7 of 2016 read with Section 392 of the I.P.C. vii. Piro P.S. Case No. 459 of 2021 lodged under Section 392 of the I.P.C. (present case).	
--	---	--

The petitioner is accused in all cases which are magisterial triable.

Let the District and Session Judge Rohtas, Bhojpur and Buxar are directed to do the needful so that all the cases

pending before respective Territorial Division against the petitioner shall be placed before one Magistrate of the respective Districts with the common date in the said Court, i.e. to say one date for all cases pending at Rohtas District, another one date for all cases pending at Bhojpur District & another one date for all cases pending at Buxar District.

Let the copy of this order is communicated to the District and Session Judge Rohtas/ District and Session Judge Bhojpur/ District and Session Judge Buxar for perusal and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

sadique/-

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