

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18532 of 2022

Arising Out of PS. Case No.-791 Year-2021 Thana- GARKHA District- Saran

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Amarjeet Kumar Ray @ AMARJEET KUMAR S/o Bhageshwar Ray R/o
village- Kuchah, P.S.- Garkha, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv.
	:	Mr. Santosh Kumar Pandey, Adv.
For the Opposite Party/s	:	Mr. Amit Kumar Rakesh, APP.

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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
Garkha P.S. Case No. 791 of 2021 lodged under Section 395 of
the Indian Penal Code.

The allegation in the prosecution case is against 6
unknown accused persons of snatching of Rs.1,55,000/-, mobile
with 2 sim cards and motorcycle.

Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R., his name has figured in this
case by virtue of confessional statement, the petitioner was not

caught on the spot but subsequently a mobile, a detail of which has been given in the seizure list, was alleged to be recovered from his full pant. Learned counsel for the petitioner submits that petitioner has received the said mobile from his friend for repairing. He further submits that petitioner is in custody since 29.11.2021 and chargesheet has already been submitted. On the point of his criminal antecedent, learned counsel for the petitioner submits that petitioner was remanded in another case after his arrest in the present case. He is also ready to fulfill all the conditions as laid down by the Court against him.

Learned counsel for the State opposes the prayer for bail.

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 Judicial Magistrate, Ist Class, Saran at Chhapra in connection with Garkha P.S. Case No. 791 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, it transpires from the record of this case that the present petitioner is accused in 2 cases, both related to one Police Station namely Garkha which are Garkha P.S. Case No.791 of 2021 and Garkha P.S. Case No.730 of 2021. According to the present law, both cases shall run before the same Court either before Magistrate or before Session after commitment. The Magistrate is directed to fix same date in both the cases and Session Judge is directed to fix and refer the matter before the same Session Court for trial after commitment.

Let the copy of this order be communicated to the

District and Session Judges, Saran at Chhapra for compliance.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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