

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18483 of 2022

Arising Out of PS. Case No.-59 Year-2021 Thana- Belaganj District- Gaya

Navin Singh @ Navin Sharma @ Navin Kumar @ Navin Kumar Sharma Son
Of Ram Niwash Sharma @ Raman R/O Village- Samsara, P.S.- Main,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Adv.
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 16-08-2022 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
Belaganj P.S. Case No. 59 of 2021 lodged under Sections 147,
148, 149, 323, 341, 342, 379, 385, 387, 365, 504 and 504 of the
I.P.C.

As per the prosecution case, the allegation of
demanding ransom and involved in naxal activity and demand
of levy is against the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits all the allegation made against him in the F.I.R. is not

correct and false. He submits that petitioner is in custody since 29.06.2021, charge sheet has been filed in this case. On the point of his criminal antecedent that there are in total 12 criminal cases pending against the present petitioner. Learned counsel for the petitioner submits that petitioner belongs to a landlord family and he accepts that he has dispute directly with the D.S.P Wazirganj who used to pressurize him to take his land for which petitioner was not ready. He further submits that in this regard, the brother-in-law of the petitioner has filed a complaint case No. 1124 of 2019 in which petitioner is witness no. 4 (Annexure-2). He further submits that six cases was filed after filing of the complaint case. Learned counsel for the petitioner submits that this petitioner is a law abiding citizen and ready to fulfill all conditions laid down against him by the Court.

Learned counsel for the State opposes the prayer for bail and submits that petitioner by virtue of his criminal antecedent appears to be a hard core criminal. In the present facts and circumstances and the submissions made above, I am not inclined to grant bail to the petitioner at present.

But Trial Court is directed to release the petitioner on bail after framing of charge in this case on its own condition so

that his appearance shall secured.

Providing speedy trial to under trial is the Constitutional vision of justice, here in the present case there are in total 13 cases pending against the present petitioner namely as follows:

“(i) Bodhgaya P.S. Case No. 50 of 2016 under Sections 341, 323, 307, 379, 506 and 34 of the I.P.C.

(ii) Main (Pai Bigha) P.S. Case No. 27 of 2019 under Sections 341/323/379/504/506 and 34 of the I.P.C.

(iii) Main (Pai Bigha) P.S. Case No. 05 of 2014 under Sections 447/341/323/504/506/384/386/307 and 34 of the I.P.C.

(iv) Main (Pai Bigha) P.S. Case No. 21 of 2016 under Sections 47(a)/47(b)/53(8) and 53(ga) of the Bihar Prohibition and Excise (Amendment) Act.

(v) Main (Pai Bigha) P.S. Case No. 22 of 2016 under Sections 25(1-b)a/26 and 35 of the Arms Act.

(vi) Main (Pai Bigha) P.S. Case No. 05 of 2017 under Section 30(a) of the Bihar Prohibition and Excise Act.

(vii) Main (Pai Bigha) P.S. Case No. 06 of 2017 under Sections 25(1-b)A/26 of the Arms Act.

(viii) Main (Pai Bigha) P.S. Case No. 17 of 2018 under Sections 147, 148, 149, 379, 323 and 325 of the I.P.C. read with Section 27 of the Arms Act.

- (ix) Wazirganj P.S. Case No. 200 of 2019 under Sections 25(1-b)a and 26 of the Arms Act.
- (x) Wazirganj P.S. Case No. 549 of 2020 under Sections 25(1-b)a/26 and 35 of the Arms Act.
- (xi) Alipur P.S. Case No. 75 of 2020 under Sections 384, 385 and 387 of the I.P.C.
- (xii) Tekari P.S. Case No. 87 of 2021 under Sections 379, 384, 385 and 34 of the I.P.C. read with Sections 16, 17 and 18 of the U.A.P. Act.”

Almost all cases are relating to different Police Station of Gaya District. The District and Sessions Judge is directed to order so that all pending cases against the petitioner shall run before one Court, 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, Gaya for perusal and necessary compliance.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J)

sadique/-

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