

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19336 of 2022

Arising Out of PS. Case No.-14 Year-2018 Thana- SILAO District- Nalanda

Shambhu Singh Son of Jagdish Singh Resident of Village - Ramharipind,
P.S.- Rajgir, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 12-09-2022 Let the defect(s), 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
Silao P.S. Case No. 14 of 2018 (Sessions Trial
No.512/2018/300/2021), lodged under section 395 of the Indian
Penal Code.

As per the prosecution case, the allegation of *dacoity*
of Rs/- 6,50,000 and 3 mobile phones, whose numbers are
described in F.I.R. has been made. Present case has been filed
against 6 unknown criminals.

Learned counsel for the petitioner submits that present
case has been filed against 6 unknown persons. He submits that

nothing has been recovered from the possession of the petitioner. He further submits that petitioner was also not put on TIP. He further submits that name of petitioner has been figured in this case by virtue of confessional statement of Mukesh Kumar, who has been granted bail by the Co-ordinate Bench of this Court by order dated 03.02.2021 passed in Cr. Misc. No. 24679 of 2022. On the point of criminal antecedent of petitioner, learned counsel for the petitioner submits that there are in total 16 criminal cases pending against him and in some of the cases he is on bail and in some of cases he is persuading for bail. He further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court. He further submits that in the present case, petitioner has been remanded and is in custody since 11.01.2021, charge sheet has already filed as well as charge has also been framed.

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.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-I,

Bihar Sharif, Nalanda in connection with Silao P.S. Case No. 14 of 2018 (Sessions Trial No.512/2018/300/2021), 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 be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship 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 16 criminal cases pending against the present petitioner. Out of 16 cases, 15 cases are relating to Nalanda district, whereas, one case is related to Nawada district. The chart of all those cases are as follows :-

District and Sessions judge, Nalanda	District and Sessions judge, Nawada
1. Deepnagar P.S. case No. 305/2017 for offence U/s 395 of IPC (on bail)	1. Nawada (Kadirganj O.P.) P.S. case No. 674/2020 for offence U/S 302, 120(B) of IPC (on bail)
2. Nalanda P.S. Case No. 161/2017 for offences U/S 457, 380, 504, 506, 323/34 of IPC.	
3. Silao P.S. case No. 25/2018 for offence U/S 399, 420 of IPC (on bail)	
4. Giriyak P.S. case No. 368/2019 for offence U/S 395 of IPC.	
5. Rajgir P.S. case No. 254/2019 for offence U/S 395 of IPC (on bail)	
6. Rajgir P.S. case No. 195/2015 for offence U/S 395 of IPC	
7. Rajgir P.S. case No. 137/2016 for offence U/S 395 of IPC	
8. Rajgir P.S. case No. 163/2017 for offence U/S 457 and 380 of IPC	
9. Rajgir P.S. case No. 250/2017 for offence U/S 395 of IPC	
10. Rajgir P.S. case No. 157/2018 for offence U/S 395 of IPC	
11. Giriyak P.S. case No. 390/2017 for offence U/S 395/397 of IPC	
12. Giriyak P.S. case No. 288/2017	

13. Silao P.S. case No. 262/2017	
14. Nardiganj P.S. case No. 206/2017	

The District and Sessions Judge, Nalanda is directed to do the needful so that all magisterial triable cases and sessions triable cases prior to commitment shall run before one Magistrate with one date and all sessions triable cases after commitment shall run before one Sessions Judge with same date.

Let a copy of this order is communicated to District and Sessions Judge, Nalanda for information and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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