

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21843 of 2022**

Arising Out of PS. Case No.-24 Year-2020 Thana- MOTIPUR District- Muzaffarpur

RAHUL KUMAR S/o Shri Hari Shankar Ray, R/o Village - Ratanpura, P.S.-
Motipur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 18-08-2022 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
Motipur P. S. Case No. 24 of 2020 lodged under Section 392 of
the Indian Penal Code.

According to the prosecution story, four miscreants
visited at the petrol pump and looted Rs.1,41,430/- at gun point.
They have also looted Rs.20,000/- from Nosal man.

Learned counsel for the petitioner submits that the
present petitioner is not named in the F.I.R. and nothing was
recovered from his possession during course of investigation.
He also submits that T.I.P. has not taken place. Learned counsel
for the petitioner further submits that petitioner is in custody

since 12.01.2022 and he has been remanded in the present case from Motipur P.S. Case No. 27 of 2020. He further submits that on the point of his 4 criminal antecedents, petitioner is ready to fulfill all the conditions whatsoever it may be imposed upon the him by the Court. He further submits that other co-accused namely, Uday Kumar has already been granted bail by the Co-ordinate Bench of this Court vide order dated 09.04.2021 in Cr. Misc. No. 5127 of 2021.

Learned counsel for the State opposes the prayer for bail and submits that case diary has been called for in this case but the entire case diary has not come.

In the present facts and circumstances of the 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 S.D.J.M. (West), Muzaffarpur in connection with Motipur P.S. Case No. 24 of 2020, 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. Here in the present case the petitioner is accused in four cases, namely, Motipur P.S. Case No.363 of 2017, Motipur P.S. Case No.27 of 2020, Motipur P.S. Case No. 28 of 2020 and Motipur P.S. Case No. 24 of 2020 arising from the same police station in which two cases are warrants triable and two cases are sessions triable. It is due to this reason, let it be directed that in all the four cases registered in the same P.S., the Magistrate shall provide one and same date and after commitment in two cases it may be referred to the same Sessions Court and Sessions Court shall also provide the one and same date.

Let a copy of this order also be communicated to the

District and Sessions Judge, Muzaffarpur for perusal and
necessary compliance.

(Dr. Anshuman, J.)

ravishankar/-

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