

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21855 of 2022

Arising Out of PS. Case No.-685 Year-2020 Thana- SONEPUR District- Saran

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RAHUL KUMAR SON OF ASHARFI SAHANI R/O VILLAGE-
BHARPURA, P.S.- SONEPUR, DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh

For the Opposite Party/s : Mr.Rajendra Singh

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 02-09-2022 Heard the parties through video conferencing.

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
Sonpur P.S. Case No. 685 of 2020 lodged under Sections
456/379 of the I.P.C.

As per the prosecution case, the offence of robbery
has taken place by 3 unknown persons and, therefore, the
informant has filed the present case against 3 unknown persons.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. In para 7
of present petition, counsel for the petitioner submits that the

petitioner was arrested in Sonpur P.S. Case No. 824 of 2020 and thereafter on the confessional statement, he was remanded in the present case. He submits that in the present case petitioner was remanded on 08.02.2021, charge sheet has already been filed in this case and on the point of his criminal antecedent, learned counsel for the petitioner submits that in all the cases, he was taken remand during custody. He further submits that nothing incriminating has recovered from the petitioner's possession. He was not put on T.I.P. Learned counsel for the petitioner also submits that in all the 5 cases mentioned in paragraph 3, he is on bail.

Learned counsel for the State opposes the prayer for bail and submits that there are 5 antecedents against the present petitioner.

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 Sir Chandrabose Kumar Singh, the learned Judicial Magistrate 1st Class, Saran at Chhapra in connection with Sonpur P.S. Case No. 685 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. Admittedly, there are in total 6 cases (including the present one) pending against the petitioner which belongs to the Territorial Division of District and Session Judge Saran at Chhapra which are as follows:

- i. Sonpur P.S. Case No. 824 of 2021 lodged under Sections 401/414/413/34 of the I.P.C.
- ii. Sonpur P.S. Case No. 819 of 2020 lodged under

Section 392 of the I.P.C.

iii. Sonpur P.S. Case No. 686 of 2020 lodged under
Sections 456 and 379 of the I.P.C.

iv. Sonpur P.S. Case no. 778 of 2020 lodged under
Section 392 of the I.P.C.

v. Sonpur P.S. Case No. 810 of 2020 lodged under
Section 392 of the I.P.C.

vi. Sonpur P.S. Case No. 685 of 2020 lodged under
Sections 456/379 of the I.P.C. (present case).

Let all the cases magisterial triable be run before one
Magistrate with same date and all cases Session triable be run
before the Session Court with same date.

Let the copy of this order is communicated to the
District and Session Judge Saran at Chhapra for perusal and
necessary compliance.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J)

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