

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24037 of 2022

Arising Out of PS. Case No.-300 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

Bikram Kumar @ Bikaram Kumar S/o Balmiki Mahto R/o Village - Siwaji
Nagar Bisanpur, P.S. - Begusarai Town, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate.

For the Opposite Party/s : Mr. Md. Matloob Rab, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 06-09-2022 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
Begusarai Town P.S. Case No. 300 of 2021 lodged under
Sections 341, 323, 427, 504, 506, 307, 120B/34 of the Indian
Penal Code read with Section 27 of the Arms Act.

As per the prosecution case, the informant have
mentioned that when the informant reached on his land then
Bikram Kumar, Ram Bikram Singh and 2-3 unknown persons
reached there with arms and started indiscriminate firing. The
informant any how saved his life but both Bikram Kumar and
Ram Bikram Singh have attacked on the informant with the butt

of pistol, in result the informant became injured, thereafter he was admitted to the Hospital where he was under treatment. The reason for this dispute is to grab the land of the informant.

Learned counsel for the petitioner submits that the name of two Bikram Kumar is present in the F.I.R. One Bikram Kumar i.e. Ram Bikram Singh was granted bail by the Trial Court itself whereas the present Bikram Kumar's bail was rejected only on the ground of his criminal antecedent. He submits that there are 5 criminal antecedents of petitioner and he is on bail in all the 5 cases. Learned counsel for the petitioner submits that petitioner is in custody since 18.06.2021, charge sheet has already been filed in this case. On the point of criminal antecedent, learned counsel for the petitioner submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him. He further submits that so far as the merit of present case is concerned, petitioner deserves for bail and for his antecedents he is facing trial in the respective cases.

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 Chief Judicial Magistrate, Begusarai in connection with Begusarai Town P.S. Case No. 300 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. From the records, it transpires that there are in total 7 criminal cases pending against present petitioner and all belongs to same territorial Sessions Division i.e. District and Sessions Judge,

Begusarai, the details of which are as follows :-

District and Sessions Judge, Begusarai	
1. Begusarai Town P.S. Case No.10 of 2009, Under Sections 385, 387, 307/34 of I.P.C. read with Section 27 of Arms Act. Sessions Triable	1. Begusarai Town P.S. Case No.11 of 2009, Under Sections 25(1-b)a, 26 of Arms Act. Magisterial Triable
2. Begusarai Town P.S. Case No.376 of 2021, Under Sections 25(1-b)a, 26 of Arms Act. Sessions Triable	2. Begusarai Town P.S. Case No.12 of 2009, Under Sections 354, 452/34 of I.P.C. Magisterial Triable
3. Begusarai Town P.S. Case No.629 of 2021, Under Sections 341, 323, 427, 353, 504, 506 of I.P.C. read with Section 52 of Prisoners Act. Sessions Triable	
4. Begusarai Town P.S. Case No.300 of 2021, Under Sections 341, 323, 427, 504, 506, 307, 120B/34 of the Indian Penal Code read with Section 27 of the Arms Act. Sessions Triable	

The District and Session Judge, Begusarai is directed to do the needful so that all the cases shall run before the one Magistrate with same date prior to commitment and before one Sessions Court with same date after commitment and all magisterial triable cases may run before Court with same date and special cases, if any, shall run before one Special Court with same date.

Let a copy of this order is communicated to the

District and Session Judge, Begusarai for his perusal and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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