

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24472 of 2022

Arising Out of PS. Case No.-242 Year-2021 Thana- TRIVENIGANJ District- Supaul

Munna Kumar @ Munna Yadav S/O- Bhupendra Kumar Resident Of Village-
Chauraha, Ward No.10, P.S.- Shankarpur, Dist- Madhepura

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Uday Chand Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-08-2022 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
S.T No. 307 of 2021 arising out of Triveniganj P.S. Case No.
242 of 2021 lodged under Sections 326, 307 and 34 of Indian
Penal Code and 27 of Arms Act.

As per the prosecution case, allegation of firing on the
informant is there in the F.I.R. against two unknown persons.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that in the present case, he has been remanded on his
confessional statement and he is in custody since 07.08.2021.



He further submits that in the present case charge sheet has already been filed as well as charge has also been framed. 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 by the Court upon him. Learned counsel for the petitioner also submits that no T.I.P. has been made and nothing has been recovered in this case against the petitioner.

Learned counsel for the State opposes the prayer for bail and submits that from the paragraph no. 3 of bail petition, it transpires that there are 13 cases (including present one) pending against the present petitioner and all belongs to same district..

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 Additional Chief Judicial Magistrate, Supaul in connection with S.T No. 307 of 2021 arising out of Triveniganj P.S. Case No. 242 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 bailors 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. As per the records of this case, it transpires that there are thirteen cases pending against the present petitioner both magisterial and sessions triable, within the territorial division of the Supaul/Madhepura district. The details of which are as follows:

Madhepura District

(I). Shankarpur P.S. Case No. 161 of 2020 dated 17.12.2020 offence punishable under Section 392 of Indian Penal Code – Triable by JFMC.



(II). Shankarpur P.S. Case No. 152 of 2020 dated 27.11.2020 offence punishable under Section 302 of Indian Penal Code – S.Tr.

(III). Shankarpur P.S. Case No. 80 of 2021 dated 12.06.2021 offence punishable under Sections 356 and 379 of Indian Penal Code – M.Tr.

(IV). Shankarpur P.S. Case No. 83 of 2021 dated 14.06.2021 offence punishable under Sections 420 and 379 of the Indian Penal Code – M.Tr.

(V). Shankarpur P. S. Case No. 90 of 2021 dated 24.06.2021 offence punishable under Sections 356 and 379 of Indian Penal Code – M.Tr.

(VI). Shankarpur P.S. Case No. 107 of 2021 dated 18.07.2021 offence punishable under Sections 399 and 402 of Indian Penal Code and Section 25(1-B) of Arms Act – S.Tr.

(VII). Madhepura P.S. Case No. 86 of 2021 dated 03.02.2021 offence punishable under Section 392 of Indian Penal Code – M.Tr.

(VIII). Madehpura P.S. Case No. 90 of 2021 dated 04.02.2021 offence punishable under Section 392 of Indian Penal Code – M.Tr.

(IX). Singheshwar P.S. Case No. 165 of 2021 dated



14.07.2021 offence punishable under Section 395 of Indian Penal Code – S.Tr.

(X). Singheshwar P.S. Case No. 264 of 2020 dated 05.12.2020 offence punishable under Section 392 of Indian Penal Code – M.Tr.

Supaul District

(XI). Triveniganj P.S. Case No. 206 of 2021 dated 07.07.2021 offence punishable under Section 392 of Indian Penal Code – M.Tr.

(XII). Triveniganj P.S. Case No. 246 of 2021 dated 29.07.2021 offence punishable under Section 399, 402 of Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise Act – S.Tr.

(XIII). Triveniganj P.S Case No. 242 of 2021 offence punishable under Sections 326, 307 and 34 of Indian Penal Code and Section 27 of the Arms Act – S.Tr.

District and Sessions Judge Supaul/Madhepura is directed to place respective criminal cases, named above, before respective one Magistrate at Supaul/Madhepura with same date. Magisterial Triable cases shall continue before one Magistrate but Sessions triable cases after commitment shall be placed before one Sessions Judge at Supaul/Madhepura as the case may



be with same date.

The office is directed to place one copy of the order sheet before the District and Sessions Court, Supaul/Madhepura each for perusal and needful.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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