

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24428 of 2022

Arising Out of PS. Case No.-631 Year-2021 Thana- SASARAM NAGAR District- Rohtas

Jai Prakash Patel @ Sonu Patel S/O Anil Kumar Singh R/O Village- Maudiha,
P.S.- Nokha, Distt.- Rohtas

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Choubey Jawahar, Advocate
For the Opposite Party/s : Mr.Lalan Kumar, 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
Sasaram Town P.S. Case No. 631 of 2021 lodged under Sections
341, 323, 379, 506/34 of Indian Penal Code.

As per the prosecution case, allegation against 4
unknown persons has been made for making theft of the vehicle
of the petitioner.

Learned counsel for the petitioner submits that
nothing was recovered from the petitioner's conscious
possession and no T.I.P. has been made. He further submits that
the petitioner has been arrested in another case and he was in
jail since 28.08.2021 whereas, in the present case, he has been



remanded since 16.12.2021. He further submits that charge sheet has already been filed. On the point of criminal antecedents, learned counsel for the petitioner submits that petitioner has four criminal antecedents, he further submits that in all the cases, he is on bail and ready to fulfill all the condition whatsoever shall be imposed by the court below.

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 Judicial Magistrate, Rohtas, Sasaram in connection with Sasaram Town P.S. Case No. 631 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. From Paragraph 3, it transpires that there are in total five cases pending against the present petitioner including present one namely:-

Nokha P.S. Case No. 36 of 2020 dated 11.03.2020 offences punishable under Sections 147, 148, 149, 341, 323, 307, 504, 506 of Indian Penal Code and Section 25(1-B)a, 26/35 of Arms Act, Nokha P.S. Case No. 71 of 2020 dated 09.04.2020 offences punishable under Section 147, 148, 149, 341, 325, 307, 421, 504, 506 of Indina Penal Code an Section 27 of Arms Act, Nokha P.S. Case No. 198 of 2019 dated 23.09.2019 offences punishable under Section 147, 148, 149, 385, 506, 507 of Indian Penal Code and 25(1-b)a, Section 26/35 Section 27 of Arms Act, Sasaram P. S. Case No. 556 of 2001 dated 26.08.2021 offences punishable under Section 394 of Indian Penal Code,



Sasaram Town P.S. Case No. 631 of 2021 offences punishable under Section 341, 323, 379, 506/34 of Indian Penal Code. All cases are relating to lie within District Court Rohtas at Sasaram.

The District and Sessions Judge, Sasaram is directed to place all the cases before one magistrate with same date and after commitment made in session triable cases be placed before one session court with one date.

Copy of this order is also communicated to the District and Sessions Judge, Sasaram for perusal and needful.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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