

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24667 of 2022

Arising Out of PS. Case No.-62 Year-2021 Thana- NOKHA District- Rohtas

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Ricky Chaudhary @ Bajrangi Chaudhary Sosn of Ramkishun Chaudhary R/o
Village- Badki Sarimpur, P.S.- Industrial Area Buxar, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 12-09-2022 Learned counsel for the petitioner submits that there are certain typographical error in paragraph 3(i) and paragraph 3(iv) of the petition. He seeks permission to remove the defect.

Permission granted to remove the defect in course of the day.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Nokha (Darmapura) P.S. Case No. 62 of 2021 lodged under Section 394 of the I.P.C.

As per the prosecution case, the F.I.R. has been lodged against the 4 unknown accused persons in which allegation of dacoity are there.

Learned counsel for the petitioner submits that

petitioner has not named in the F.I.R., nothing indiscriminating recovered from the possession of the petitioner. He also submits that no T.I.P. has taken place. He further submits that name of the petitioner has figured in this case by virtue of the confessional statement of the co-accused, namely, Lav Kumar who has been granted bail by the Co-ordinate Bench of this Court vide order dated 31.05.2022 passed in Cr. Misc. No. 480 of 2022. Counsel for the petitioner submits that petitioner is in custody since 25.06.2021 but having 5 criminal cases and he is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

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.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Ms. Pallavi Maurya, J.M. 1st Class, Sasaram, Rohtas in connection with Nokha (Dharmapura) P.S. Case No. 62 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 be 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 relationship 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 5 criminal cases (including the present one) pending against the petitioner which belongs to the District and Session Judge Sasaram at Rohtas which are as follows:

- i. Bikramganj P.S. Case No. 249 of 2020 lodged under Sections 147/148/149 and 302/34 of the I.P.C. read with Sections 25(1-b)a, 26/35/27 of the Arms Act and 3(i)(r)(v) of SC/ST Act.
- ii. Sasaram P.S. Case No. 133 of 2021 lodged under

Section 414 of the I.P.C. read with Section 25(1-b)a,
26/35 of the Arms Act.

iii. Chenari P.S. Case No. 70 of 2021 lodged under
Section 395 of the I.P.C.

iv. Sasaram (m) P.S. Case no. 98 of 2021 lodged
under Section 397 of the I.P.C.

v. Nokha (Dharmapura) P.S. Case No. 62 of 2021
lodged under Section 394 of the I.P.C.(present case).

Let the District and Session Judge Sasaram at Rohtas
is directed to do the needful so that all the magisterial cases and
session triable cases prior to commitment shall run before one
Magistrate with one date and after commitment, the session
triable cases shall run before one Session Court with one date.

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

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J)

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