

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25374 of 2022

Arising Out of PS. Case No.-89 Year-2020 Thana- GORAU District- Vaishali

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Karmbir Kumar Son Of Bir Bahadur Singh R/O Village- Khilwat, P.S.-
Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 18-08-2022 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
Goraul (Kathara O.P.) P.S. Case No. 89 of 2020 lodged under
Section 392 of the Indian Penal Code.

The prosecution story is that, robbery with informant
took place in which Rs.1,92,444/- alongwith Redmi Note-5
Mobile, Tab of Samsung Company and other articles were taken
by the 3 unknown persons.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that no TIP has taken place and name of petitioner has come in
this case by way of confessional statement of co-accused. He

further submits that petitioner is in custody since 29.06.2021, chargesheet has already been submitted in this case. On the point of his criminal antecedent, learned counsel for the petitioner submits that there are 8 cases pending against him in which he is on bail in 6 cases.

Learned counsel for the State opposes the prayer for bail and submits that it is true that by virtue of confessional statement of the co-accused name of petitioner has figured in this case, but it is also true that on the basis of said confessional statement the looted articles were recovered from the house of petitioner and, therefore, it transpires that the petitioner is directly involved in this crime. He further submits that petitioner is accused in 9 cases (including present one) and all of similar nature i.e. robbery.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner.

Speedy trial is the Constitutional vision of justice, here in the present case petitioner is accused in Baligaon P.S. Case No.144 of 2020 under Section 392 of I.P.C., Baligaon P.S. Case No. 146 of 2020 under Section 399, 402, 414/34 of I.P.C., Desari P.S. Case No. 287 of 2020 under Section 392, 411 of

I.P.C., Baligaon P.S. Case No. 139 of 2020 under Section 392 of I.P.C., Mahua P.S. Case No. 623 of 2020 under Section 392 of I.P.C., Goraul P.S. Case No. 488 of 2020, Bidupur P.S. Case No. 561 of 2020 under Section 392 of I.P.C., Bidupur P.S. Case No. 422 of 2020 under Section 392 of I.P.C. and Goraul (Kathara O.P.) P.S. Case No. 89 of 2020 under Section 392 of I.P.C., all cases belongs to same sessions division lies before the jurisdiction of District and Session Judge, Vaishali.

Sessions Judge is directed to do the needful so that all the cases of petitioner shall run before one Magistrate with one date prior to commitment and also after commitment before one Session Judge with one date.

Let the copy of the order is communicated to the District and Sessions Judge, Vaishali for perusal and necessary direction.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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