

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26457 of 2022

Arising Out of PS. Case No.-115 Year-2021 Thana- PARSA District- Saran

Chandeshwar Sahani S/o Devnandan Sahni, Resident of Village- Badhi Chak,
P.S.- Maker, District- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh, Advocate

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, 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
Parsa P. S. Case No. 115 of 2021 lodged under Sections 504,
506 and 384 of the Indian Penal Code and Section 17 of C.L.A.
Act.

As per F.I.R., demand of ransom of Rs.50,000/- was
made from the informant from a particular mobile number
whose number has disclosed in the F.I.R.. F.I.R. has been lodged
against the owner of the said mobile no. 9000974342.

Learned counsel for the petitioner submits that
petitioner is not the owner of the said mobile number. From the

rejection order passed by Additional Sessions Judge, Saran, it transpires that the said mobile number belongs to one Amarjit Paswan. Learned counsel for the petitioner further submits that petitioner is a poor man and he is in custody since 25.08.2021. He further submits that in the present case petitioner has been remanded by the police. His name has figured in this case by virtue of his own confessional statement. He further submits that there is one criminal case pending against the petitioner and he is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court. He further submits that charge has already been framed against the petitioner in this case and presently case is fixed for evidence of prosecution witnesses.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the 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, Saran at Chapra in connection with Parsa P.S. Case No. 115 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. Admittedly, it transpires from the record that there are two cases pending against the petitioner which are as follows:

(I) Derni P.S. Case No. 99 of 2021,

(ii) Parsa P.S. Case No. 115 of 2021,

Since both cases belongs to the territorial division of District and Sessions Judge, Saran at Chapra. District & Sessions Judge, Saran at Chapra is directed to do the needful, so that both the cases shall run together with same date before

same court of Magistrate prior to commitment and before same Sessions Court after commitment.

Office is directed to be placed copy of this order before the District and Sessions Judge, Saran at Chapra for perusal and necessary compliance.

(Dr. Anshuman, J.)

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