

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26438 of 2022

Arising Out of PS. Case No.-8 Year-2022 Thana- MOUZAHDIPUR District- Bhagalpur

Ritesh Paswan Son Of Late Mannu Paswan, R/O Village- Maheshpur, P.S.-
Mojahidpur (Babbarganj), District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, APP.

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
Mojahidpur (Babbarganj) P. S. Case No. 08 of 2022 lodged
under Section 3/4 of Explosive Substance Act.

The prosecution case is that on the secret information
that named accused persons are coming and going frequently in
the bush, upon search three country made bombs were
recovered. Spy has informed that the accused persons used to
commit theft and robbery in silk mills and other locality.

Learned counsel for the petitioner submits that the
present case has been filed against two known accused persons

including the petitioner, only and only on the basis of suspicion. Nothing was recovered from his possession nor any T.I.P. has taken place. In the case diary as indicated in the order sheet of the lower court that they used to keep desi bomb at that place which was recovered by the police. Learned counsel for the petitioner further submits that petitioner is in custody since 10.01.2022 and charge sheet has already been filed in this case. On the point of his criminal antecedent, learned counsel for the petitioner submits that petitioner is on bail in all the cases.

Learned counsel for the State opposes the prayer for bail and submits that the criminal antecedent of the petitioner is not clean and present case is relating to preparation of local country made bomb.

In the present facts and circumstances of the case and the submission made above, I am not inclined to grant bail to the petitioner at present. Accordingly the bail petition of the petitioner is hereby rejected.

Petitioner may renew his prayer for bail only after framing of charge before the Trial Court.

Speedy trial is the constitutional vision of justice. Here the present petitioner is under trial, four cases are pending against him relating to same P.S., in this circumstances let the

District and Sessions Judge, Bhagalpur is directed to do the needful so that all cases namely, (i) Mojahidpur (Babbargunj) P.S. Case No. 289 of 2017, (ii) Mojahidpur (Babbargunj) P.S. Case No. 290 of 2017, (iii) Mojahidpur (Babbargunj) P.S. Case No. 117 of 2018 and (iv) Mojahidpur (Babbargunj) P.S. Case No. 08 of 2022, shall run before the same Magistrate/Session Court with same date either before or after commitment as the case may be.

(Dr. Anshuman, J.)

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