

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26897 of 2022

Arising Out of PS. Case No.-956 Year-2021 Thana- KUDHNI District- Muzaffarpur

=====

Sachin Kumar Son of Jagdish Das Resident of Village - Sakari Saraiya, P.s.-
Kurhani (Turki O.P.), Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nityanand, Advocate.

For the Opposite Party/s : Mr. Satyendra Prasad, APP.

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Kurhani (Turki O.P.) P.S. Case No. 956 of 2021 lodged under
Sections 25(1-b)a, 26, 35 of the Arms Act.

As per the prosecution case, the recovery of *Desi*
Katta, live cartridges has been recovered from the possession of
petitioner.

Learned counsel for the petitioner submits that
petitioner is in custody since 25.12.2021, chargesheet has
already been filed in this case. On the point of criminal
antecedent of petitioner, learned counsel for the petitioner
submits that there are 2 criminal cases pending against the
present petitioner and in both the cases he is on bail. Learned

counsel for the petitioner further submits that petitioner 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.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st (West) in connection with Kurhani (Turki O.P.) P.S. Case No. 956 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 there are 3 criminal cases pending against present petitioner and all are magisterial triable cases pending before the Court of District and Session Judge, Muzaffarpur which are as follows :- **(1)** Kurhani (Turki O.P.) P.S. Case No. 712 of 2020, **(2)** Kurhani (Turki O.P.) P.S. Case No. 10 of 2021 & **(3)** Kurhani (Turki O.P.) P.S. Case No. 956 of 2021.

The District and Session Judge, Muzaffarpur is directed to do the needful so that all the three cases shall run before the one Magistrate with one date.

Let a copy of this order is communicated to the District and Sessions Judge, Muzaffarpur for his perusal and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ritik/-

U		T	
---	--	---	--