

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26476 of 2022

Arising Out of PS. Case No.-202 Year-2021 Thana- KASHICHAK District- Nawada

Raj Bikash Son Of Sri Indradev Singh Resident Of Village - Naro Murar, P.S.-
Warisaliganj, District - Nawada

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, 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
Kashichak P.S. Case No. 202 of 2021 lodged under Sections 413
and 414 of the Indian Penal Code.

As per the prosecution case, petitioner was caught by
the police party when he was going on a motorcycle. Upon
demand, he has not shown the papers of the motorcycle,
thereafter, present case has been lodged.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that police has caught him and on the statement of the petitioner



himself, one motorcycle was recovered. Learned counsel for the petitioner submits that petitioner is in custody since 16.10.2021, charge-sheet has already been filed in this case. On the point of criminal antecedent, he is ready to fulfill all the conditions whatsoever it may be imposed by the court.

Learned counsel for the State opposes the prayer for bail and submits that on the statement of the petitioner, recovery of theft motorcycle has been made. Therefore, he doesn't deserve bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the present petitioner at present but, hereby directed to the trial court that he shall be directed to be released on bail after framing of charge in this case with conditions so that he shall support in the trial.

Providing speedy trial to an accused is a Constitutional vision of justice. Here in the present case, there are two cases pending against the petitioner, both from same P.S. i.e. Kashichak P. S. Case No. 201 of 2021 and Kashichak P.S. Case No. 202 of 2021- one case is Magisterial and another is Sessions Triable. Till commitment in one case, the trial court shall provide one date in both the cases.



Let copy of the order is also communicated to the District and Sessions Judge, Nawada for perusal and necessary direction issued to the competent officials.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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