

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 26448 of 2022**

Arising Out of PS. Case No.-70 Year-2021 Thana- GADHPURA District- Begusarai

Gopal Yadav Son F Raghvendra Yadav R/O- Village- Manikpur P.S.-  
Gadhpura District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Prakash Chandra Jha, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      18-10-2022                      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.

The petitioner seeks regular bail in connection with  
Gadhpura P.S. Case No. 70 of 2021 lodged under Sections 302,  
120(B), 34 of the I.P.C.

As per the prosecution case, the informant has made  
allegation and filed the case against 8 known and 4-5 unknown  
persons. Allegation of causing assault upon the Pratosh Yadav  
@ Santosh Yadav, the brother of the informant is there. The  
specific allegation is against Munna Nut, who gave dagger blow  
on the victim due to which the victim became senseless.

Learned counsel for the petitioner submits that the

present petitioner is not named in the F.I.R., his name has been figured in this case by virtue of confessional statement of Rajdeo Paswan.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 07.02.2022, having 8 criminal cases pending against the present petitioner and he is on bail in all the cases. Learned counsel for the petitioner also submits that petitioner is ready fulfill all the conditions whatsoever shall be imposed upon him. He further submits that other similar co-accused person, whose name was not figured in this case, has been granted bail by this court vide order dated 11.10.2022 in Cr. Misc. No.19394 of 2022.

Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean.

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 C.J.M., Begusarai in connection with Gadhpur P.S. Case No. 70 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 be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship 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 in total 9 criminal cases (including the present one) pending against the petitioner which belongs to the District and Sessions Judge, Begusaria which are as follows:

- i. Gadhpura P.S. Case No. 44 of 2018
- ii. Gadhpura P.S. Case No.76 of 2018
- iii. Gadhpura P.S. Case No. 139 of 2019
- iv. Navkothi P.S. Case no. 87 of 2018

v. Gadhpura P.S. Case No. 1 of 2022

vi. Gadhpura P.S. Case No. 6 of 2022

vii. Gadhpura P.S. Case No. 15 of 2022

Viii. Gadhpura P.S. Case No. 4 of 2022

ix. Gadhpur P.S. Case No. 70 of 2021(present case).

Let the District and Sessions Judge, Begusaria is directed to do the needful so that all the magisterial triable cases or sessions triable cases prior to commitment shall run before one Magistrate with one date and all sessions triable cases after commitment, shall run before one Session Court with one date.

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

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

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