

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26956 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- BAUNSI District- Banka

1. Mantu Yadav Son Of Arjun Yadav, R/ O- Village- Barmaniya, P.S.- Bounsi,
District- Banka
2. Jitan Yadav Son Of Arjun Yadav, R/ O- Village- Barmaniya, P.S.- Bounsi,
District- Banka

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Ms. Suman Kumari Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-09-2022 Let the defects, as pointed out by the Office, be
removed within a period of two weeks from today.

Heard learned counsel for the petitioners and learned
APP for the state.

Petitioners seek regular bail in connection with
Bounsi P.S. Case No. 22 of 2022 lodged under Sections 341,
323, 307, 326, 504 and 506/34 of the Indian Penal Code.

As per the information, it is stated that the informant
was sleeping with his relative in the Thakurbari in the night of
24-25/01/2022. The petitioners alongwith others total 7 in
number entered in the Thakurbari. They all armed and assaulted
the father and cousin of the informant brutally. It has been
alleged that they have done so with a view to kill them. Both

injured seriously. They have started trying to break the lock of *Garbh Grih* with a view to steal the sculpture kept in Thakurbari and informant alleged himself to be an eye-witness.

Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. He further submits that petitioners have falsely been implicated in the present case. He further submits that there is general and omnibous allegation against the petitioners by showing the injury report. Learned counsel for the petitioners further submits that it is not specifically attributed. He also submits that no bony fracture was seen on the right elbow and no parenchymal contusion seen. He further submits that petitioners are in custody since 25.01.2022 and charge sheet has already been filed in this case. On the point of criminal antecedent, learned counsel for the petitioners submits that there are five cases pending against the petitioner no.1 and three cases pending against the petitioner no.2 and both are on bail in all the aforesaid cases. Learned counsel for the petitioners also submits that petitioners are ready to fulfill all the conditions whatsoever imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail.

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

They may renew his prayer for bail one year after framing of charge.

Speedy trial is the constitutional vision of justice. Admittedly there are six criminal cases pending against the petitioner no.1, which are as follows:

- (I) Bounsi P.S. Case No. 117 of 2007,
- (ii) Banka (Barahat) P.S. Case No. 196 of 2014,
- (iii) Bounsi P.S. Case No. 72 of 2021,
- (iv) Bounsi P.S. Case No. 180 of 2020,
- (v) Bounsi P.S. Case No. 94 of 2020,
- (vi) Bounsi P.S. Case No. 22 of 2022

There are four criminal cases pending against the petitioner no.2, which are as follows:

- (I) Bounsi P.S. Case No. 72 of 2021,
- (ii) Bounsi P.S. Case No. 180 of 2020,
- (iii) Bounsi P.S. Case No. 94 of 2020,
- (iv) Bounsi P.S. Case No. 22 of 2022

Let the District & Sessions Judge, Banka is directed to

do the needful, so that all cases pending against the respective petitioners shall run in respective court with same date.

Let the copy of the order be communicated to the District & Sessions Judge, Banka for perusal and necessary compliance.

(Dr. Anshuman, J.)

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