

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34235 of 2022

Arising Out of PS. Case No.-872 Year-2021 Thana- BANKA District- Banka

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Lalu Kumar Sing @ Lallu Kumar Singh @ Shivam Son Of Devendra Singh
@ Devendra Pd. Singh, R/o village- Laxmipur, P.S.- Banka, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. Nirmala Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-09-2022 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
Banka P.S. Case No. 872 of 2021, lodged under Section 392 of
the Indian Penal Code.

As per the prosecution case, the allegation of robbery
of Rs.10,000/- cash and MI Mobile are there against unknown
persons in the F.I.R.

Learned counsel for the petitioner submits neither any
incriminating was recovered from the possession of petitioner
nor petitioner was put on TIP. He further submits that petitioner
is in custody since 27.01.2022 and charge sheet has already

been filed. 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. He further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court. Learned counsel for the petitioner further submits that other co-accused has already been granted bail by this Court vide order dated 14.09.2022 passed in Cr. Misc. No.27407 of 2022.

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 Chief Judicial Magistrate, Banka/ successor Court, Banka in connection with Banka P.S. Case No. 872 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 3 criminal cases pending against the present petitioner which are related to District and Sessions Judge, Banka. The chart of all those cases are as follows :-

1. Banka P.S. Case No. 865/2021 for offence U/s 392 of IPC.

2. Banka P.S. Case No. 877/2021 for offence U/s 399 and 402 of IPC. read with Section 25(1-b)a,26/35 of Arms Act.

3. Banka P.S. Case No. 872/2021 for offence U/s 392 of IPC. (present one)

The District and Sessions Judge, Banka is directed to do the needful so that all magisterial triable cases and 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 Sessions Judge with one date.

Let a copy of this order is communicated to District and Sessions Judge, Banka for information and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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