

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31762 of 2022

Arising Out of PS. Case No.-115 Year-2021 Thana- PARSA District- Saran

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Jitendra Ram @ Atuljee S/o Baharan Ram, R/o village- Badhichak (Dihi
Sureman), P.S.- Maker, District- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, 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
Parsa P.S. Case No. 115 of 2021, lodged under Sections 504,
506 & 384 of the Indian Penal Code.

As per the F.I.R., it transpires that only one person has
been made accused who is the possessor of Mobile
No.9000974342.

Learned counsel for the petitioner submits that
petitioner is neither owner nor possessor of the above said
Mobile. He further submits that name of petitioner has figured
in this case by virtue of confessional statement of co-accused.
He further submits that there is no material against the
petitioner in the present case. He further submits that petitioner
is in custody since 09.12.2021, charge sheet has already been
filed as well as charge has also been framed in this case. On the

point of criminal antecedent of petitioner, learned counsel for the petitioner submits that there are 15 criminal cases pending against the petitioner and in all the cases petitioner is on bail. 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 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-IX, Chapra, District Saran in connection with Parsa P.S. Case No. 115 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 16 criminal cases pending against the present petitioner including the present one and all relating to District Saran at Chapra. The details of all those cases are as follows :-

1. Dariyapur P.S. Case No. 102/2012 for offence U/s 384, 386 of IPC. and Section 17 of C.L.A. Act.

2. Dariyapur P.S. Case No. 119/2012 for offence U/s 384, 386 of IPC. and Section 17 of C.L.A. Act.

3. Maker P.S. Case No. 29/2007 for offence U/s 147, 148, 380, 427, 302, 307 of IPC., Section 27 of Arms Act, Section 3, 4 & 5 of Explosive Substance Act and Section 17 of C.L.A. Act.

4. Panapur P.S. Case No. 11/2011 for offence U/s 147, 148, 149, 452, 307, 427 of IPC., Section 3 & 4 of Explosive Substance Act and Section 17 of C.L.A. Act.

5. Nayagaon P.S. Case No. 36/2012 for offence U/s 436, 149, 144, 342 of IPC. and Section 17 of C.L.A. Act.

6. Maker P.S. Case No. 38/2010 for offence U/s 147, 148, 149, 427, 395, 452 of IPC., Section 27 of Arms Act and Section 17 of C.L.A. Act.

7. Bheldi P.S. Case No. 22/2010 for offence U/s 452, 427, 149 of IPC., Section 3 & 4 of Explosive Substance Act and Section 17 of C.L.A. Act.

8. Panapur P.S. Case No. 10/2011 for offence U/s 307 & 353 of IPC. and Section 17 of C.L.A. Act.

9. Maker P.S. Case No. 35/2011 for offence U/s 436, 427, 147, 148 of IPC., Section 3 & 4 of Explosive Substance Act and Section 17 of C.L.A. Act.

10. Panapur P.S. Case No. 08/2011 for offence U/s 307, 149, 323, 341, 427, 436 of IPC., Section 3 & 4 of Explosive Substance Act and Section 17 of C.L.A. Act.

11. Maker P.S. Case No. 43/2009 for offence U/s 302, 307, 427/34 of IPC., Section 17 of C.L.A. Act and Section 10(a) IV b (1) a/34 of Unlawful Activity Prevention Act.

12. Bheldi P.S. Case No. 16/2010 for offence U/s 144 & 336 of IPC. and Section 17 of C.L.A. Act.

13. Amnour P.S. Case No. 74/2010 for offence U/s

307, 149, 323, 341, 427, 436 of IPC., Section 3 & 4 of Explosive Substance Act and Section 17 of C.L.A. Act.

14. Maker P.S. Case No. 48/2008 for offence U/s 452, 323, 380, 364, 109/34, 302/34.

15. Derni P.S. Case No. 99/2021 for offence U/s 302/34 of IPC., Section 27 of Arms Act and Section 17 of C.L.A. Act.

16. Parsa P.S. Case No. 115/2021 for offence U/s 504, 506 & 384 IPC. (present one)

The District and Sessions Judge, Saran at Chapra 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 Court with one date.

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

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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