

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29709 of 2022

Arising Out of PS. Case No.-97 Year-2021 Thana- BUXAR INDUSTRIAL District- Buxar

Deepak Kumar Gupta @ Lallu Son of Shivnand Prasad Gupta, Resident of Mohalla - Aadarsh Bihar Colony, Bihiya, Police Station- Bihiya, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Adv.

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

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 Buxar (Ind.) P.S. Case No. 97 of 2021, lodged under Sections 457 & 380 of the Indian Penal Code, 1860.

As per the prosecution case, the allegation of theft against unknown persons has been made in the F.I.R. The petitioner has been remanded in this case.

Learned counsel for the petitioner submits that nothing has been recovered from the possession of petitioner nor TIP has been made. He further submits that petitioner has been remanded in this case on 27.08.2021. Learned counsel for the petitioner further submits that it is a unique case in which petitioner's name is related to 19 different cases in which there

are 6 cases in which Police has not remanded him but in the antecedent report it has been submitted that Police is going to remand in following cases. Learned counsel for the petitioner 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 C.J.M., Buxar in connection with Buxar (Ind.) P.S. Case No. 97 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, by virtue of paragraph no.3, it transpires that the name of petitioner is related to 20 criminal cases including the present one. Maximum cases are of District Siwan and some cases are of District Buxar. The chart of all those cases are as follows :-

District and Sessions Judge, Buxar.	District and Sessions Judge, Siwan.
1. Buxar (Ind.) P.S. Case No. 118/2021 for offence U/s 457 and 380 of IPC.	1. Siwan Mufassil P.S. Case No. 98/2018 for offence U/s 457 and 380 of IPC.
2. Buxar (Ind.) P.S. Case No. 89/2021 for offence U/s 457 and 380 of IPC.	2. Siwan Mufassil P.S. Case No. 99/2018 for offence U/s 457 and 380 of IPC.
3. Dumrao P.S. Case No. 282/2012 for offence U/s 379/511 of IPC.	3. Siwan Nagar P.S. Case No. 130/2018 for offence U/s 457 and 380 of IPC.
4. Buxar Town P.S. Case No. 254/2021 for offence U/s 457 and 380 of IPC.	4. Siwan Panchrukhi P.S. Case No. 31/2018 for offence U/s 457 and 380 of IPC.

5. Buxar (Ind.) P.S. Case No. 90/2021 for offence U/s 457 and 380 of IPC.	5. Siwan Panchrukhi P.S. Case No. 34/2018 for offence U/s 457 and 380 of IPC.
6. Buxar Town P.S. Case No. 229/2021 for offence U/s 457 and 380 of IPC.	
7. Buxar Town P.S. Case No. 241/2021 for offence U/s 457 and 380 of IPC.	
8. Buxar Town P.S. Case No. 249/2021 for offence U/s 457 and 380 of IPC.	
9. Buxar Mufassil P.S. Case No. 163/2021 for offence U/s 457 and 380 of IPC.	
10. Buxar Mufassil P.S. Case No. 186/2021 for offence U/s 457 and 380 of IPC.	
11. Buxar Mufassil P.S. Case No. 187/2021 for offence U/s 457 and 380 of IPC.	
12. Buxar Mufassil P.S. Case No. 198/2021 for offence U/s 457 and 380 of IPC.	
13. Buxar (Ind.) P.S. Case No. 97/2021 for offence U/s 457 and 380 of IPC. (present one)	

The District and Sessions Judge, Buxar and Siwan are 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, in their respective districts.

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

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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