

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34977 of 2022

Arising Out of PS. Case No.-48 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Bipin Kumar S/O Late Rajendra Paswan Resident of Village- Panchi, P.S.-
Shekhopur Sarai, District- Sheikhpura, permanent address- Village- Sangathu
P.S.- Manpur, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Binode Bariar, Adv.

For the Opposite Party/s : Mr. A.G.

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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 video conferencing.

The petitioner seeks regular bail in connection with
Shekhopur Sarai P.S. Case No. 48 of 2022 lodged under
Sections 406, 419, 420, 467, 468, 471, 120(B)/34 of the I.P.C.

As per the prosecution case, the petitioner who is
named accused in the F.I.R. used to provide different types of
works in which he used to take commission in the name of
providing car as well as take money in the name of providing
service in the different companies.

Learned counsel for the petitioner submits that he is

innocent and has committed no offence. He further submits that he is settled at his *sasural* and only due to this reason become subject to jealous among the neighbourers including the informant. Learned counsel for the petitioner submits that he is in custody since 05.04.2022, charge sheet has already been filed in this case having one criminal case of similar nature. He 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 Chief Judicial Magistrate, Sheikhpura in connection with Shekhopur Sarai P.S. Case No. 48 of 2022, 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 2 criminal cases (including the present one) pending against the petitioner which belongs to the District and Session Judge Sheikhpura which are as follows:

- i. Shekhopur P.S. Case No. 32 of 2018 lodged under Sections 406, 470, 467, 468, 471, 120(B)/34 of the I.P.C.
- ii. Shekhopur Sarai P.S. Case No. 48 of 2022 lodged under Sections 406, 419, 420, 467, 468, 471, 120(B)/34 of the I.P.C. (present case).

Let the District and Session Judge Sheikhpura is directed to do the needful so that both the magisterial cases and session triable cases prior to commitment shall run before one

Magistrate with one date and after commitment, the session triable cases shall run before one Session Court with one date.

Let the copy of this order is communicated to the District and Session Judge Sheikhpura for perusal and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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