

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34552 of 2022

Arising Out of PS. Case No.-410 Year-2021 Thana- PURNEA SADAR District- Purnia

Mohan Kumar @ Chotu @ Chhotu Son Of Sanjai Sah R/O Village- Gariya
Baluwa Ward No.-3, P.S.- K.Nagar, District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 19-09-2022 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.

The petitioner seeks regular bail in connection with
Sadar P.S. Case No. 410 of 2021 lodged under Section 392 of
the I.P.C.

As per the prosecution, case of robbery has been filed
against 4 unknown criminals who have robbed the articles
including cash, 3 mobiles and gold ornaments.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that he is in custody since 21.09.2021, charge sheet has
already been filed in this case and there is one criminal case

pending against him in which he is on bail. Learned counsel for the petitioner further submits that he was not put on T.I.P. The ornaments which has been recovered from him is not the robbed material rather it is the personal ornaments of the petitioner's family. Learned counsel for the State submits that it transpires from the order sheet of Session Court that looted article has been recovered from the accused petitioner who was put on T.I.P. and victim identified. He also submits that in CCTV footage, the entry of accused persons has been identified.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present. The petitioner shall be at liberty to move for bail after 6 months of the framing of charge.

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 Purnia which are as follows:

- i. Sadar P.S. Case No. 440 of 2021 lodged under Sections 399, 402 of the I.P.C. read with Sections 25(1-b), 26/35 of the Arms Act.

ii. Sadar P.S. Case No. 410 of 2021 lodged under
Section 392 of the I.P.C. (present one).

Let the District and Session Judge Purnia is directed
to do the needful so that both the magisterial triable 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 Purnia for perusal and necessary
compliance.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J)

sadique/-

U		T	
---	--	---	--