

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36052 of 2022

Arising Out of PS. Case No.-98 Year-2018 Thana- CHAPRA MUFFASIL District- Saran

Toni @ Vikas Rai @ Tonu S/O Late Jagarnath Ray Resident Of Village-
Naini, P.S.- Chapra Muffassil, District- Sarana At Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2022 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
Chapra Muffassil P.S. Case No. 98 of 2018, lodged under
section 392 of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, the allegation of robbery
along with Arms Act is there against unknown accused persons.

Learned counsel for the petitioner is innocent and
nothing incriminating has been found from his possession.
Learned counsel for the petitioner also submits that the
petitioner has not been put on T.I.P. nor any arms have been
recovered from his possession. Learned counsel for the

petitioner further submits that there are 3 criminal cases pending against him. He is ready to fulfill all the conditions whatsoever shall be imposed upon him.

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-Vth, Saran at Chapra in connection with Chapra Muffassil P.S. Case No. 98 of 2018 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 4 criminal cases pending against the present petitioner. All cases are relating to Saran district. The chart of all those cases are as follows :-

District and Sessions judge, Saran
1. Chapra Muffassil P.S. case No. 86/2018 for offence U/s 394 of IPC (on bail)
2. Chapra Muffassil P.S. Case No. 105/2018 for offences U/S 392 of IPC.
3. Janta Bazar P.S. case No. 151/2017 for offence U/S 395 of IPC.
4. Chapra Muffassil P.S. Case No. 98 of 2018, lodged under section 392 of the Indian Penal Code and 27 of the Arms Act

The District and Sessions Judge, Saran 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 same date.

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

compliance.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

ashishsingh/-

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