

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36073 of 2022

Arising Out of PS. Case No.-736 Year-2020 Thana- MUFFASIL District- West Champaran

Ramlal Sah Son Of Neta Sah Resident of Village- Chhotaka Lagunia , P.S.-
paharpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 20-09-2022 Let the defect, 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
Muffasil P.S. Case No. 736 of 2020 lodged under Sections
328/379 of the I.P.C.

As per the prosecution case, the present case has been
filed for theft and other sections against 3 unknown persons.

Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. He submits that he has been
remanded in this case and nothing incriminating has been
recovered from his possession nor he was put on T.I.P.

He further submits that petitioner is in custody since

16.01.2021, charge sheet has already been filed. On the point of criminal antecedent, there are 6 criminal cases pending against the present petitioner but 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 present 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 District and Sessions Judge-Vth, Bettiah, West Champaran in connection with Bettiah Muffasil P.S. Case No. 736 of 2020, 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 7 criminal cases (including the present one) pending against the petitioner which belongs to the District and Session Judge Bettiah, West Champaran which are as follows:

- i. Gopalpur P.S. Case No. 184 of 2020
- ii. Banu P.S. Case No. 721 of 2020
- iii. Bettiah P.S. Case No. 717 of 2020
- iv. Bettiah P.S. Case no. 488 of 2019
- v. Gopalpur P.S. Case No. 194 of 2020
- vi. Gopalpur P.S. Case No. 189 of 2020
- vii. Muffasil P.S. Case No. 736 of 2020

Let the District and Session Judge Bettiah, West Champaran is directed to do the needful so that all the 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, 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 Bettiah, West Champaran for perusal and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ashishsingh/-

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