

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36801 of 2022

Arising Out of PS. Case No.-35 Year-2022 Thana- UJIYARPUR District- Samastipur

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Raja Kumar Son Of Jaikant Paswan R/O- Vill- Shitalpatti, P.S.- Muffasil
Dist.- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-09-2022 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
Ujiyarpur P.S. Case No. 35 of 2022 lodged under Sections 399,
402, 307, 414 of the I.P.C. read with Sections 25(1-B) a, 26,
27,35 of the Arms Act.

As per the prosecution case, the robbery of one pistol
and 2 live cartridges was made from the possession of the
present petitioner. He was apprehended by the police along with
4 other co-accused persons.

Learned counsel for the petitioner submits that the
petitioner is in custody Since 26.01.2022, charge sheet has

already been filed in this case. He further submits that there are 3 criminal cases pending against him and he is on bail in all cases. He further submits that 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, I am not inclined to grant bail to the petitioner at present but liberty is hereby granted to the petitioner to move for bail one month after framing of charge. The Trial Court thereafter shall release him on bail imposing the condition so that he shall secure his appearance during trial.

Speedy trial is the constitutional vision of justice. Admittedly, there are in total 4 criminal cases (including the present one) pending against the petitioner which belongs to the District and Session Judge Samastipur which are as follows:

- i. Muffasil P.S. Case No. 368 of 2019 lodged under Sections 414/120(B) of the I.P.C.
- ii. Musri Gharari P.S. Case No. 120 of 2020 lodged under Sections 427/435 of the I.P.C.
- iii. Musri Gharari P.S. Case No. 114 of 2020 lodged under Sections 379/356 of the I.P.C.

iv. Ujiyarpur P.S. Case no. 35 of 2022 lodged under Sections 399, 402, 307, 414 of the I.P.C. read with Sections 25(1-B) a, 26,27,35 of the Arms Act. (present case)

Let the District and Sessions Judge, Samastipur is directed to do the needful so that all the magisterial triable cases or 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 Session Court with one date.

Let the copy of this order is communicated to the District and Sessions Judge, Samastipur for perusal and necessary compliance.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J)

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