

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35668 of 2022

Arising Out of PS. Case No.-135 Year-2021 Thana- BACHHWARA District- Begusarai

Sunny Kumar @ Chhotiya Son of Debu Chaudhary R/o Village - Chakdillar
Ward No.- 04, Rashidpur, P.S. - Bachhwara, Dist. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-09-2022 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
Bachhwara P.S. Case No. 135 of 2021 lodged under Sections
392/397 of the I.P.C.

As per the prosecution case, the allegation of robbery
and *dacoity* are there in the F.I.R.. Case has been filed against 4
unknown accused persons.

Learned counsel for the petitioner submits that there is
nothing incriminating recovered from the possession of the
petitioner. He further submits that he was not put on T.I.P.
Learned Counsel for the petitioner submits that petitioner is in
custody since 17.08.2021, charge sheet has already been filed.

On the point of criminal antecedent of the petitioner learned counsel for the petitioner submits that total 6 criminal cases are pending against the petitioner, in some cases he is on bail and in rest of the cases, he is persuading for bail. Learned counsel for the petitioner submits that petitioner was initially made accused in Vidyapati Nagar P.S. Case Number 77 of 2021 thereafter police has started taking this petitioner into remand in different cases. The present case is one of them in which he was taken on remand. Learned counsel for the petitioner submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him. He further submits that the other co-accused person of this case has been granted bail by the Co-ordinate Bench of this court vide order dated 05.07.2022 passed in Cr. Misc. No. 15679 of 2022.

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 C.J.M. Begusarai in connection with Bachwara P.S. Case No. 135 of 2021, 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 belong to the District and Sessions Judge, Samastipur and District and Sessions Judge, Begusarai which are as follows:

District and Sessions Judge, Samastipur	District and Sessions Judge, Begusarai
i. Vidyapati Nagar P.S. Case No. 77 of 2021	i. Bachhwara P.S. Case No. 93 of 2021 (Named in Confessional statement of the co-accused but still not

	remanded).
ii. Vidyapati Nagar P.S. Case No. 76 of 2021	ii. Teghra P.S. Case No. 203 of 2021
iii. Dalsinghsarai P.S. Case No. 114 of 2021	
iv. Dalsinghsariai P.S. Case no. 161 of 2021	

Let the District and Sessions Judge, Samastipur/Begusarai are 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 shall run before one Sessions Court with one date, in the respected districts.

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

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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