

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35840 of 2022

Arising Out of PS. Case No.-198 Year-2021 Thana- KASIMBAZAR District- Munger

Dilip Kumar Son Of Laxman Das R/O- Vill- Belan Bazar P.S.-KASIM Bazar,
Dist.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary, Adv.

For the Opposite Party/s : Mr. Akhileshwar Dayal, 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
Kasim Bazar P.S. Case No. 198 of 2021 lodged under Sections
414 of the I.P.C. and 25(1-b)a, 26, 35 of the Arms Act.

As per the prosecution case, the petitioner is not
named in the F.I.R.

Learned counsel for the petitioner submits that his
name has figured in this case by confessional statement. He
submits that petitioner is in custody since 17.07.2021 by virtue
of remand. He further submits that charge sheet has already
been filed in this case. There are total 9 criminal cases pending
against him and in all the 9 cases, he is on bail. 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 and submits that there is a criminal antecedent of the petitioner.

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 Mrs. Pallavi Morya, Judicial Magistrate, Munger in connection with Kasim Bazar P.S. Case No. 198 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 10 criminal cases (including the present one) pending against the petitioner which belongs to the District and Session Judge Munger which are as follows:

- i. Kasim Bazar P.S. Case No. 31 of 2012 lodged under Sections 399, 402 of the I.P.C. and 25(1-b)a, 26 of the Arms Act.
- ii. Kasim Bazar P.S. Case No. 146 of 2013 lodged under Sections 414, 341 of the I.P.C.
- iii. Kasim Bazar P.S. Case No. 87 of 2016 lodged under Sections 395, 412 of the I.P.C.
- iv. Kasim Bazar P.S. Case no. 108 of 2017 lodged under Sections 341, 323, 307, 504 of the I.P.C. and 25(1-b)a, 26 of the Arms Act.
- v. Kasim Bazar P.S. Case No. 217 of 2017 lodged under Sections 394 of the I.P.C.
- vi. Kasim Bazar P.S. Case No. 218 of 2017 lodged under Sections 461, 379 of the I.P.C.
- vii. Kasim Bazar P.S. Case No. 303 of 2017 lodged under Sectionx 457/34 of the I.P.C.
- viii. Kasim Bazar P.S. Case No. 310 of 2017 lodged under Sections 394 of the I.P.C.

ix. Kasim Bazar P.S. Case no. 49 of 2018 lodged under Sections 379 of the I.P.C.

x. Kasim Bazar P.S. Case No. 198 of 2021 lodged under Sections 414 of the I.P.C. and 25(1-b)a, 26 of the Arms Act. (present case).

Let the District and Session Judge Munger 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, Munger for perusal and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

prakashmani/-

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