

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35675 of 2022

Arising Out of PS. Case No.-163 Year-2021 Thana- SASARAM MUFFASIL District- Rohtas

Danish Khan Son Of Mansor Alam, R/O- Vill-Takiya, P.S.- Sasaram Town,
Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-09-2022 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 through virtual mode.

The petitioner seeks regular bail in connection with
Sasaram (Muffasil) P.S. Case No. 163 of 2021, lodged under
Section 394 of the Indian Penal Code.

As per the prosecution case, the allegation of robbery
of the *manager* of the patrol pump is there in the F.I.R.

Learned counsel for the petitioner submits that he is
innocent and has committed no offence. He further submits that
nothing incriminating has been recovered from the possession of
the petitioner and he was not put on T.I.P. He further submits
that petitioner is in custody since 02.04.2022. He further

submits that there are 3 criminal cases pending against the petitioner. He further submits that when he was in custody then on 06.05.2021 a raid was made on his house from where Rs.4800/- was alleged to be recovered. Learned counsel for the petitioner further submits that it is not the looted money rather it is the money of the family itself. On the point of his criminal antecedent, learned counsel for the petitioner submits that he is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

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 Chief Judicial Magistrate, Sasaram in connection with Sasaram (Muffasil) P.S. Case No. 163 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 4 criminal cases pending against the present petitioner including the present one and all belongs to District Rohtas at Sasaram. The details of all those cases are as follows :-

- (I) Dihari Muffasil P.S. Case No. 26 of 2021,
- (ii) Dihari Muffasil P.S. Case No. 55 of 2021,
- (iii) Dihari Muffasil P.S. Case No. 59 of 2021,
- (iv) Sasaram Muffasil P.S. Case No. 163 of 2021

The District and Sessions Judge, Rohtas at Sasaram 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 one date.

Let a copy of this order is communicated to District and Sessions Judge, Rohtas at Sasaram for information and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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