

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36322 of 2022

Arising Out of PS. Case No.-217 Year-2022 Thana- BHAGWAN BAZAR District- Saran

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Anand Kumar Misra @ Anand Kumar Mishra @ Vicky Mishra Son Of
Balendra Mishra Resident of Village- Barkagaun, P.s.- Jalalpur, District-
Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saurabh Kumar, Adv.

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

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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
Bhagwan Bazar P.S. Case No. 217 of 2022 lodged under
Sections 379 and 401 of the Indian Penal Code, 1860.

As per the prosecution case, the allegation of theft of
motorcycle is there in the F.I.R. against unknown persons.

Learned counsel for the petitioner submits that
petitioner is innocent. He further submits that petitioner along
with one other accused, has been found in possession of the
motorcycle which is subject to theft of the present case. Learned

counsel further submits that petitioner is in custody since 30.04.2022, charge sheet has already been framed in this case. Learned counsel submits that there are 2 criminal cases pending against the petitioner and both the cases, he is on bail. 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 the petitioner may renew his prayer for bail 3 months after date of framing of charge. The Trial Court shall release him on bail thereafter imposing conditions so that he shall secure his presence on everyday.

Speedy trial is the constitutional vision of justice. Admittedly, there are in total 3 criminal cases (including the present one) pending against the petitioner which belongs to the District and Sessions Judge, Chapra which are as follows:

- i. Kopa P.S. Case No. 138 of 2019 lodged under Sections 413, 414/34
- ii. Chapra Muffasil P.S. Case No. 82 of 2022 lodged under Sections 379, 411 of I.P.C.

iii. Bhagwan Bazar P.S. Case No. 217 of 2022
lodged under Sections 379 and 401 of the Indian
Penal Code, 1860

Let the District and Sessions Judge, Chapra 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, Chapra for information and
necessary compliance.

(Dr. Anshuman, J.)

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