

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36155 of 2022

Arising Out of PS. Case No.-430 Year-2021 Thana- SAKRA District- Muzaffarpur

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Ankit Kumar Thakur @ Ankit Thakur Son of Sri Krishnakant Thakur,
Resident of Village - Rampur Bahgel, P.S. - Desari (O.P. Sahdai), District -
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2022 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.

The petitioner seeks regular bail in connection with
Sakra P.S. Case No. 430 of 2021, lodged under Section 392 of
the Indian Penal Code read with Section 27 of Arms Act.

As per the prosecution case, the allegation of robbery
is against three unknown accused persons.

Learned counsel for the petitioner submits that
nothing incriminating was recovered from the possession of
petitioner and he was not put on TIP. Learned counsel for the
petitioner further submits that petitioner is in custody since

01.12.2021, charge sheet has already been filed in this case. On the point of criminal antecedent, learned counsel for the petitioner submits that there are 6 criminal cases pending against the present petitioner. He further submits that petitioner 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 Additional Chief Judicial Magistrate – 12th, Muzaffarpur in connection with Sakra P.S. Case No. 430 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. In the present case, admittedly, there are 7 criminal cases pending against the present petitioner. Out of 7 cases, 3 cases are relating to District Samastipur and 3 cases are relating to Muzaffarpur. The chart of all those cases are as follows :-

District and Sessions judge, Samastipur	District and Sessions judge, Muzaffarpur
1. Samastipur Muffasil P.S. Case No. 369/2021 for offence U/s 25(1-b)a, 26, 35 of the Arms Act.	1. Sakra P.S. Case No. 404/2021 for offence U/s 392 of IPC.
2. Tajpur P.S. Case No. 279/2021 for offences U/s 392 of IPC.	2. Sakra P.S. Case No. 173/2021 for offences U/s 392 of IPC.
3. Dalsinghsarai P.S. Case No. 243/2021 for offence U/S 394, 302 of IPC.	3. Sakra P.S. Case No. 430/2021 for offences U/s 392 of IPC. read with Section 27 of Arms Act.

The District and Sessions Judge, Samastipur and Muzaffarpur are 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 Court with same date in the respective districts.

Let a copy of this order is communicated to District and Sessions Judge, Samastipur and Muzaffarpur for information and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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