

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36974 of 2022

Arising Out of PS. Case No.-173 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 21-09-2022 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
Sakara P.S. Case No. 173 of 2021 lodged under Section 392 of
the I.P.C.

As per the prosecution case, the F.I.R. has been filed
against 2 unknown accused persons who have committed
robbery against the informant.

Learned counsel for the petitioner submits that
nothing incriminating has been recovered from the possession of
the petitioner. He was also not put on T.I.P. Learned counsel for

the petitioner submits that the name of petitioner has figured in this case by virtue of the confessional statement of the co-accused. He further submits that the petitioner is in custody since 08.09.2021. On the point of his criminal antecedent, learned counsel for the petitioner submits that petitioner is accused in 6 cases and in 3 cases he is on bail and in rest cases he is persuading for bail. Learned counsel for the petitioner submits that 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 Sakara P.S. Case No. 173 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. From the records, it transpires that there are in total 6 criminal cases (including the present one) pending against the petitioner. 3 cases is of Territorial Division of District and Session Judge, Muzaffarpur and 3 cases relating to District and Session Judge, Samastipur which are as follows:

District and Session Judge, Muzaffarpur	District and Session Judge, Samastipur
i. Sakara P.S. Case No. 430 of 2021 lodged under Section 392 of the I.P.C. ii. Sakara P.S. Case No. 404 of 2021 lodged under Section 392 of the I.P.C. iii. Sakara P.S. Case No. 173 of 2021 lodged under Section 392 of the I.P.C.(present case).	i. Samastipur Muffasil P.S. Case No. 369 of 2021 lodged under Sections 399, 402 of the I.P.C. read with Section 25(1-b)a, 26, 35 of the Arms Act. ii. Tajpur P.S. Case No. 279 of 2021 lodged under Section 392 of the I.P.C. iii. Dalsinghsarai P.S. Case No. 243 of 2021 lodged under

	Sections 394, 302 of the I.P.C. read with Section 27 of the Arms Act.
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Let the District and Session Judge, Muzaffarpur and District and Session Judge, Samastipur is directed to do the needful so that all the magisterial triable cases and session triable cases prior to commitment shall run before one Magistrate with one date and after commitment, the session triable cases shall run before one Session Court with one date in their respective Districts.

Let the copy of this order is communicated to the District and Session Judge, Muzaffarpur and District and Session Judge, Samastipur for perusal and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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