

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39841 of 2022

Arising Out of PS. Case No.-369 Year-2020 Thana- BARH District- Patna

Arbind Rai @ Arbind Yadav Son Of Yogi Rai, R/o Village- Pachhiyari
Malahi, P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2022 Let the defects, as pointed out by the Office, be
removed within a period of two weeks from today.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks regular bail in connection with Barh
P.S Case No. 369 of 2020 alleged under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

As per the prosecution, total 277 litres of Desi Mahua
and 5000 litres *Jawa Mahua* were alleged to be recovered from
open place diyara of Ganga.

Learned counsel for the petitioner submits that he is
innocent and has committed no offence. He further submits that
petitioner has not apprehended in this case rather he was
remanded in this case on 18.04.2022. He further submits that

there are four cases pending against the petitioner. Learned counsel for the petitioner further submits on the point of his criminal antecedent, he is ready to fulfill all the conditions whatsoever shall be imposed upon him by the court. He further submits that charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the above facts and circumstances 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 the Special Court (Excise), Barh, Patna in connection with Barh P.S. Case No.369 of 2020, 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 resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation 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, there are five cases pending against the present petitioner, namely, (i) Barh P.S. Case No.264 of 2017, (ii) Barh P.S. Case No.179 of 2018, (iii) Barh P.S. Case No.446 of 2018, (iv) Barh P.S. Case No.79 of 2020 and (v) Barh P.S. Case No.369 of 2020.

Almost all cases are relating to same Police Station of Patna District. The District and Sessions Judge, Patna is directed to order so that all pending cases against the petitioner shall run before one Court, that is to say, all magisterial trial cases before one Magistrate with one date, all sessions triable cases before one Sessions Judge with one date and all special court cases before the said Special Court with one date.

Let one copy of this order directed to be placed before the District and Sessions Judge, Patna for perusal and necessary compliance.

(Dr. Anshuman, J)

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