

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42243 of 2022

Arising Out of PS. Case No.-127 Year-2017 Thana- BIKRAM District- Patna

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Ramakant Sharma @ Ramakant Singh @ Kariman Singh Son of Jagdish
Sharma @ Seth Sharma, Resident of Village - Benibigha, P.S.- Bikram, Distt.-
Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Suman Kumari Singh, APP.

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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

Special Excise Case No. 1855 of 2017 arising out of Bikram

P.S. Case No.127 of 2017 alleged under Section 30(a) of Bihar

Prohibition and Excise Act, 2016.

As per the prosecution, total 117 litres of foreign

liquor have alleged to be recovered from the

vehicle/motorcycle.

Learned counsel for the petitioner submits that

petitioner was not apprehended from the place of occurrence.

He further submits that petitioner was also not named in the F.I.R. but his name has figured in this case by virtue of the accused Avinash Kumar. Learned counsel for the petitioner further submits that charge sheet has already been filed in this case and petitioner is in custody since 02.04.2022. On the point of his criminal antecedent, learned counsel for the petitioner submits that there are five cases pending against him.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the 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 Special Judge, Excise Act, Patna in connection with Special Excise Case No. 1855 of 2017 arising out of Bikram P.S. Case No. 127 of 2017, 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 six cases pending against the present petitioner, namely, (i) Bikram P.S. Case No.80 of 2020, (ii) Bikram P.S. Case No.180 of 2018, (iii) Bikram P.S. Case No.319 of 2021, (iv) Bikram P.S. Case No.206 of 2006, (v) Bikram P.S. Case No.206 of 2006 and (vi) Bikram P.S. Case No.127 of 2017.

Almost all cases are relating to same Police Station of Patna District (Danapur Division). 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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