

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60393 of 2021**

Arising Out of PS. Case No.-34 Year-2013 Thana- SAHEBGANJ District- Muzaffarpur

Laxman Ram Son of Late Bhabhikan Ram R/O- Village - Sri Rampur, P.S.-
Kath, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dashrath Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

3 28-09-2022 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
Sahebganj P.S. Case No. 34 of 2013 lodged under Sections 399,
402, 353, 307 of the I.P.C. and 25(1-b)a/26/27/35 Arms Act.

As per the prosecution case, the allegation of dokaity
and attempt to murder is there in F.I.R. There are in total 5
persons were made accused in this case. The petitioner is named
in the F.I.R. but nothing was recovered from his possession nor
he was apprehended from the place of occurrence. Learned
counsel for the petitioner submits that name of the petitioner has
been figured in this case by virtue of confessional statement of

co-accused arrested from the alleged place of occurrence.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 07.01.2021 having 6 criminal cases pending against him and petitioner is on bail in all cases. Learned counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him. He submits that nothing incriminating has been recovered from petitioner's possession nor he was put on T.I.P. Learned counsel submits that there is no recovery of arms from the possession of the petitioner as such Arms Act is not applicable.

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 15th Addl. Sess. Judge, Muzaffarpur in connection with Sahebganj P.S. Case No. 836 of 2013, 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.

With this observation, the bail application stands allowed.

Speedy trial is the constitutional vision of justice. Admittedly, there are in total 7 criminal cases (including the present one) pending against the petitioner which belongs to the District and Sessions Judge, Muzaffarpur which are as follows:

- i. Deoriya P.S. Case No. 34 of 2013
- ii. Baruraj P.S. Case No. 135 of 2020
- iii. Baruraj P.S. Case No. 164 of 2020

iv. Deoriya P.S. Case no. 18 of 2013

v. Deoriya P.S. Case no. 9 of 2013

vi. Town P.S. Case no. 102 of 2013

vii. Sahebganj P.S. Case No. 34 of 2013 (present case).

Let the District and Sessions Judge, Muzaffarpur 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, Muzaffarpur for perusal and necessary compliance.

(Dr. Anshuman, J.)

ashishsingh/-

U		T	
---	--	---	--