

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60793 of 2021

Arising Out of PS. Case No.-6 Year-2020 Thana- RAXAUL RAIL P.S. District- West
Champaran

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JAGNATH SAH @ JAGANNATH SAH @ JAGRANATH SAH S/o Late
Raja Sah R/o village- Pipra, P.S.- Darpa, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-09-2022 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
Raxaul Rail P.S. Case No. 06 of 2020 lodged under Sections
147, 148, 149, 307 and 302 of Indian Penal Code read with
section 27 of Arms Act.

The case of prosecution is that the death of
informant's younger brother who was a press reporter has
alleged to be caused by the named accused persons including
the petitioner.

Learned counsel for the petitioner submits that it is

true that the younger brother of informant died but there is no eye-witness of the said incident. He further submits that in the F.I.R., allegation against the petitioner is to fire upon the informant but by the said fire there is no injury to the informant. He further submits that petitioner is in custody since 06.11.2020 and only thing against him is his antecedent in 11 cases out of which he has been acquitted in 2 cases and only 9 cases are pending against him. He further submits that charge sheet has already been filed and case diary has been called for in this case. Learned counsel for the petitioner also submits that there is delay of about 2 days in filing the present F.I.R.

Learned counsel for the State opposes the prayer for bail and submits that there is no enough material in the case diary against the petitioner. He further submits that it has come in the case diary that the said petitioner has threatened the press reporter because he has supported the administration in a earlier case of *dacoity* at the house of Sushil Kumar in which Manjan Sah, Jagnath Sah and Phul Mohammad Mian were accused.

In the present facts and circumstances of the case, I am not inclined to grant bail to the petitioner, therefore, regular bail of the petitioner is hereby rejected.

Speedy trial is the constitutional vision of justice. As

per the record of this case, there are still 10 cases pending against the present petitioner including present one and all cases belongs to the District Sessions Judge, East Champaran at Motihari, which are as follows :-

1. Darpa P.S. Case No. 67 of 2014,
2. Darpa P.S. Case No. 04 of 2008,
3. Darpa P.S. Case No. 156 of 2020,
4. Chakiya P.S. Case No.151 of 2022,
5. Chauradano P.S. Case No. 38 of 2014,
6. Chauradano P.S. Case No. 61 of 2013,
7. Chauradano P.S. Case No. 08 of 2015,
8. Banjariya P.S. Case No. 677 of 2013,
9. Banjariya P.S. Case No. 96 of 2014,
10. Raxaul Rail P.S. Case No. 06 of 2020.

Let the District and Sessions Judge, East Champaran at Motihari is directed to do the needful, so that all the cases which are magisterial triable or sessions triable prior commitment shall run before one Magistrate with one date and the cases which are sessions triable after commitment shall run before one session court with one date and special cases, if any, shall run before the Special Court with one date.

Let the copy of this order be communicated to the

District and Sessions Judge, East Champaran at Motihari for his
perusal and necessary compliance.

(Dr. Anshuman, J.)

ravishankar/-

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