

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64635 of 2021

Arising Out of PS. Case No.-1039 Year-2019 Thana- ARARIA District- Araria

BINOD PASWAN Son of Rambilas Paswan, Resident of Village - Gulab
Bagh Hansada basti Ward no.32, P.S.- Sadar, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate Mr. N. Hasan, Advocate Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s :		Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 11-10-2022 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
Araria (Bairgachhi) P.S. Case No. 1039 of 2019 lodged under
Sections 395, 397, 398, 307 and 326 of the Indian Penal Code
read with section 27 of the Arms Act.

As per prosecution, the allegation of *dacoity* is there
in the F.I.R.. The petitioner was caught by the victim with the
help of local people from the place of occurrence.

Learned counsel for the petitioner submits that
petitioner is innocent and nothing was recovered from his

possession. He further submits that petitioner was not put on T.I.P.. He further submits that petitioner is in custody since 13.12.2019 having 4 criminal antecedents but he 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 and submits that there are 6 persons who have committed the said crime. Petitioner was apprehended at the place of occurrence with the help of victim and the local persons. He further submits that the allegation of *dacoity* is against the petitioner and petitioner has criminal antecedent of 4 cases and all are either robbery or *dacoity*.

In the present facts and circumstances of the case and the submissions made above, I am not inclined to grant bail to the petitioner. Therefore, bail petition of the petitioner is hereby rejected.

The Trial Court is directed to expedite the trial.

Speedy trial is the constitutional vision of justice. Admittedly, there are 5 cases pending against the present petitioner including present one and all the 5 cases belongs to the District Sessions Judge, Araria which are as follows :-

1. Sadar P.S. Case No. 177 of 2019,

2. Sadar P.S. Case No. 432 of 2018,
3. Sadar P.S. Case No. 115 of 2019,
4. Baisi P.S. Case No. 48 of 2019,
5. Araria (Bairgachhi) P.S. Case No. 1039 of 2019.

Let the District and Sessions Judge, Araria is directed to do the needful, so that all the cases which are magisterial triable or sessions triable prior to 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.

Let the copy of this order be communicated to the District and Sessions Judge, Araria for information and necessary compliance.

(Dr. Anshuman, J.)

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