

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65257 of 2021

Arising Out of PS. Case No.-584 Year-2020 Thana- SIKARPUR District- West Champaran

Ratnesh Kumar S/o Mahesh Mahato R/o Village- Purani Bazar, Ward No. 2,
Narkatiyaganj, P.S.- Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 10-10-2022 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
Shikarpur P.S. Case No. 584 of 2020, lodged under Section 379
of the Indian Penal Code.

As per the prosecution case, F.I.R. was lodged against
unknown accused persons, allegation of theft of motorcycle is
there in the F.I.R.

Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R. He further submits that that
nothing was recovered from the possession of petitioner, nor he
was put on TIP. He further submits that petitioner is in custody

since 20.03.2021 i.e. more than about one and half years. He further submits that there are in total 5 criminal cases pending against the petitioner including the present one.

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 Chief Judicial Magistrate, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 584 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 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.

Speedy trial is the constitutional vision of justice. Admittedly, there are 5 criminal cases pending against the present petitioner including the present one and all cases belongs to District and Sessions Judge, West Champaran at Bettiah. The chart of all those cases are as follows :-

1. Shikarpur P.S. Case No. 96/2020 for offence U/s 379 of IPC.

2. Shikarpur P.S. Case No. 592/2020 for offence U/s 379 of IPC.

3. Shikarpur P.S. Case No. 600/2020 for offence U/s 379 of IPC.

4. Shikarpur P.S. Case No. 585/2020 for offence U/s 379 of IPC.

5. Shikarpur P.S. Case No. 584/2020 for offence U/s 379 of IPC.

The District and Sessions Judge, West Champaran at Bettiah is directed to do the needful so that all magisterial triable cases and 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 Sessions Court with one date.

Let a copy of this order is communicated to District and Sessions Judge, West Champaran at Bettiah for information and necessary compliance.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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