

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84597 of 2023

Arising Out of PS. Case No.-81 Year-2023 Thana- VIDYAPATINAGAR District- Samastipur

KUNAL KUMAR CHAUDHARY SON OF SUNIL KUMAR
CHAUDHARY RESIDENT OF VILLAGE- NAGARGAWAN, POLICE
STATION- DALSINGHSARAI, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Adv

For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Vidyapatnagar (Ghataho O.P.) P.S. Case No. 81 of 2023
registered on 11.06.2023 lodged under Sections 392, 34 of the
Indian Penal Code.

3. As per the prosecution case, F.I.R. has been lodged
against unknown accused persons against whom the allegation
is of snatching mobile and Rs. 50,000/- from the informant.

4. Counsel for the petitioner submits that one of the
snatched mobile has alleged to be recovered from his
possession. Counsel submits that it is true that alleged mobile
phone has been recovered from his possession, but it is also true



that no T.I.P. of the said mobile phone has taken place. Name of the petitioner has been figured in this case by instance of the police due to the reason that antecedent of the petitioner is not clean and subsequently he has two criminal antecedent and he is in custody since 26.07.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean and therefore at the time of granting bail, this aspect must be taken into consideration.

6. Upon specific query made by this Court that whether charge has been framed or not, counsel for the petitioner submits that he is not aware of this fact that charge has been framed or not.

7. In the present facts and circumstances of this case, this Court is not inclined to grant bail to the petitioner at present but liberty is hereby granted to the petitioner that he may renew his prayer for bail before the trial Court and Trial Court is directed to release the petitioner on bail imposing its own conditions, so that he may not evade his appearance during trial.

8. Speedy trial is constitutional vision of justice and with a view to fulfill said vision, it has been directed to District and Sessions Judge, Samastipur to do the needful so that all the



cases which is of same police station and triable by Magistrate shall run before the same Magistrate but if triable by Sessions Judge shall run before one Sessions Court and shall submit compliance report.

Dalsinghsarai P.S. Case No. 224 of 2023

Dalsinghsarai P.S. Case No. 247 of 2023

Vidyapatinar (Ghataho O.P.) P.S. Case No. 81 of 2023.

(Dr. Anshuman, J)

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