

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2593 of 2024

Arising Out of PS. Case No.-473 Year-2022 Thana- RAMNAGAR District- West Champaran

Saif Ali Ansari S/O Farman Mian Village- Chhota Tunia Bishunpur Ward No.
12, Ps. Manuapul, Distt. West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Tr. No.2227 of 2023, arising out of Ramnagar P.S. Case No.473 of 2022, lodged on 05.10.2022, under Section 379/401/413/34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against unknown accused persons against whom allegation of theft of motorcycle of the informant is there.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that co-accused has been granted bail by a coordinate Bench of this Court vide order dated 08.11.2023



passed in Cr. Misc. No.57416 of 2023. Counsel also submits that petitioner is in custody since 09.03.2023. There are 12 criminal cases pending against the petitioner. Counsel for the petitioner submits that he has been granted bail in two cases and in rest ten cases he is persuading for bail.

5. Learned counsel for the State opposes the prayer for bail and submits that at the time of granting bail this aspect may be taken into consideration.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **after framing of the charge, if not framed, as well as ascertainment that in all 12 cases pending against him he has not been declared absconder and securing his presence in all cases** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Bagaha, West Champaran, in connection with Ramnagar P.S. Case No.473 of 2022 (Tr. No.2227 of 2023), subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) One of the bailor should be the family member of



the petitioner who shall provide official document to show his bona fide;

(ii) The petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) The petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) The petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

7. Speedy trial is the constitution vision of justice, it transpires to this Court that there are in total 13 criminal cases pending against the petitioner including the present one and all cases are either of Bagaha or of Ramnagar P.S., both lies within the territorial jurisdiction of West Champaran. Therefore, the District and Sessions Judge, West Champaran is directed to do the needful so that all the cases relating to



respective P.S. shall run before the concerned Magistrate/Sessions Court, if Magisterial/Session triable as the case may be.

Criminal antecedents of the petitioner are as follows:

- I. Bagaha (Pathkauli) P.S. Case No.680 of 2022,
- II. Bagaha P.S. Case No.755 of 2022
- III. Ramnagar P.S. Case No.48 of 2022,
- IV. Ramnagar P.S. Case No.495 of 2022
- V. Ramnagar P.S. Case No.512 of 2022
- VI. Ramnagar P.S. Case No.522 of 2022
- VII. Ramnagar P.S. Case No.523 of 2022,
- VIII. Bagaha (Pathkauli) P.S. Case No.621 of 2022,
- IX. Bagaha (Pathkauli) P.S. Case No.641 of 2022,
- X. Bagaha (Pathkauli) P.S. Case No.668 of 2022,
- XI. Bagaha (Pathkauli) P.S. Case No.647 of 2022,
- XII. Bagaha (Pathkauli) P.S. Case No.642 of 2022.

(Dr. Anshuman, J)

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