

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.20116 of 2021**

Arising Out of PS. Case No.-599 Year-2019 Thana- SHERGHATI District- Gaya

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Raja Quraishi Son Of Shaukat Quraishi Resident Of Village - Meerpur, P.S.-  
Hunterganj, District - Chatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Md. Jubair Ansari  
For the Opposite Party/s : Mr. Ramchandra Singh

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN  
ORAL ORDER**

2      02-09-2021      Heard learned counsel for the petitioner and learned A.P.P. for  
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the  
defects within four weeks of resumption of normal court proceeding.  
In the eventuality of non-removal of defects within undertaken  
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Sherghati P.S.  
Case No. 599 of 2019 registered for the offence punishable under  
Sections 399, 402, 414 of the Indian Penal Code and Sections 25(1-  
b)a, 26, 35 of the Arms Act.

Allegation is that on search various arms and ammunition,  
mobile phones, motorcycle and other looted articles were recovered  
from the possession of petitioner and other co-accused persons.

Learned counsel for the petitioner submits that petitioner has  
falsely been implicated in this case and has not committed any



offence as alleged in the FIR. No such occurrence as alleged ever took place and no any incriminating article has been recovered from the possession of petitioner. He submits that petitioner was not apprehended on the spot and on the basis of confessional statement of co-accused *Rahul Kumar Das* he has falsely been implicated in the present case. He further submits that similarly situated co-accused persons apprehended on the spot have been granted bail *vide* order dated 24.09.2020 and 04.12.2020 in Cr. Misc. No. 24803 and Cr. Misc No. 31923 respectively by different Co-ordinate Benches of this Court. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has four criminal antecedents as has been mentioned in para 3 of this bail petition and he is languishing in custody since 11.09.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sherghati P.S. Case No. 599 of 2019 subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.



(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in the case of failure, the State shall be at liberty to move for cancellation of bail.

**(Anjani Kumar Sharan, J)**

GAURAV S./-

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