

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66432 of 2021

Arising Out of PS. Case No.-109 Year-2021 Thana- RAJPUR District- Rohtas

AASH KARAN SINGH Son of Harendra Singh @ Harendra Singh Yadav
Resident of Village- Chhotaka Baradih, P.S.- Nasriganj, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 64139 of 2021

Arising Out of PS. Case No.-109 Year-2021 Thana- RAJPUR District- Rohtas

BAJRANG BALI KUMAR Son of Radhe Shyam Singh @ Vijay Singh
Resident of Village - Chhotaka Baradih, P.S.- Nasriganj, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 64633 of 2021

Arising Out of PS. Case No.-109 Year-2021 Thana- RAJPUR District- Rohtas

SUNNY KUMAR @ SANI KUMAR SINGH @ BHUAR KUMAR Son of
Mukhtar Singh Resident of Village - Chhotka Baradih, P.S.- Nasriganj,
District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 66432 of 2021)

For the Petitioner/s : Mr.Mohammad Sufyan

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

(In CRIMINAL MISCELLANEOUS No. 64139 of 2021)

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr.Dinesh Singh

(In CRIMINAL MISCELLANEOUS No. 64633 of 2021)

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Md. Mushtaque Alam



CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-04-2022 Heard the parties through video conferencing.

Let the defect(s) be removed within two weeks of the complete start of the physical Court in normal course.

All the aforesaid bail applications arise out of Rajpur P.S. Case No. 109 of 2021 registered under Sections 25(1-b)a/26/35 of the Arms Act. Therefore, all the aforesaid bail applications have been heard together and are being disposed of by this common order.

Allegation is of recovery of country-made pistol, live cartridge and mobile phones from the possession of the petitioners.

Learned counsel appearing on behalf of the petitioners submits that so far as Aash Karan Singh (petitioner of Cr. Misc. No. 66432 of 2021) is concerned, a mobile phone has been recovered from his possession. Bajrang Bali Kumar (petitioner of Cr. Misc. No. 64139 of 2021) is concerned, a country-made pistol, a live cartridge and a mobile phone have been recovered from his possession. Sunny Kumar (petitioner of Cr. Misc. No. 64633 of 2021) is concerned, a motorcycle and a mobile phone have been recovered from his possession which belongs to him. Petitioners have clean antecedent and they are in custody since



28.07.2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioners. He submits that petitioners are member of gang and they are engaged in committing robbery, extortion etc. Petitioners were preparing to commit crime in the night. They were apprehended at 2:55 a.m., on 28.07.2021 as such it will not be in public interest or in the interest of society to release the petitioners on bail.

Considering the nature of allegation made against the petitioners, the Court below is directed to verify the criminal antecedent of the petitioners and give specific finding with respect to the fact as to whether the above named petitioners who have individually filed the above mentioned bail applications are members of the gang and they were associated in any other case prior to the present case. On arriving such, if the Court below finds that the petitioners are not associated and are not operating any gang, the petitioners, above named, are directed to be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bikramganj, Rohtas in connection with Rajpur P.S. Case No. 109 of 2021 subject to the following conditions:



(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(iv) If the petitioners are found involved in similar nature of offence, after their release on bail, the trial Court shall take steps to cancel their bail bond.

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

