

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32586 of 2022

Arising Out of PS. Case No.-100 Year-2022 Thana- SASARAM NAGAR District- Rohtas

SERAJ ALI @ MD. SERAJ ALI Son of Niyaju Ali Resident of Mohalla -
Chiktoli, Killa, P.S.- Sasaram Nagar, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 41652 of 2022

Arising Out of PS. Case No.-100 Year-2022 Thana- SASARAM NAGAR District- Rohtas

SUBASH YADAV Son of Ramesh Singh R/o Khoriya, P.S- Kargahar, and
Dist.- Rohtas at sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 45677 of 2022

Arising Out of PS. Case No.-100 Year-2022 Thana- SASARAM NAGAR District- Rohtas

SUNNY DEOL @ DHANJEE PASWAN SON OF RANGLAL PASWAN
R/O VILLAGE- CHANDRAKAINTHI, P.S.- CHENARI, DISTRICT-
ROHTAS (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 32586 of 2022)

For the Petitioner/s : Mr. Rakesh Dubey, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP

(In CRIMINAL MISCELLANEOUS No. 41652 of 2022)

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

(In CRIMINAL MISCELLANEOUS No. 45677 of 2022)

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate

For the Opposite Party/s : Mrs. Anita Kumari, APP



petitioner had sold the said motorcycle on 09.11.2019 to a person namely Baljeet Kumar and the said person also sold the said motorcycle to other person namely Rajesh Kumar on 19.09.2020 and in this regard the relevant document of said agreement has been filed vide Annexure-2. Further submission is that the petitioner has been languishing in jail since 23.02.2022 and against him there is only one case which was lodged subsequently after the institution of the present matter in which the petitioner is on bail.

The main submissions advanced by the learned counsel Mr. Ashok Kumar Singh for the petitioner Subash Yadav are that the name of this petitioner surfaced on the basis of confessional statement and except this there is no any other material against him and he has been languishing in jail since 23.02.2022 and against him there are criminal antecedent two cases excluding the present matter in which he is on bail.

The main submissions advanced by the learned counsel Mr. Jai Prakash Singh for the petitioner Sunny Deol @ Dhanjee Paswan are that the name of this petitioner also surfaced on the basis of confessional statement and except this there is no any other material against him and he has been languishing in jail since 07.02.2022 and against him there are



criminal antecedent of four cases in addition to the present matter and in one case out of the said cases he has been acquitted and he has got bail in two cases and one is pending. Further submission is that this petitioner was not put on Test Identification Parade after his arrest.

The common submission made by learned counsels of all the petitioners are that after the arrest of these petitioners in the present matter the police failed to recover any incriminating material to connect them to the alleged offence of loot and they were not put on Test Identification Parade by the police.

Learned APPs appearing for the State has opposed the bail prayer of all the petitioners.

In view of the above facts as stated above and mainly considering the petitioners' plea that after their arrest the police did not put them on Test Identification Parade and any incriminating material was not recovered from any of them and the said pleas have not been refuted by learned APPs and also considering the custody period of these petitioners, in the opinion of this Court a lenient approach can be taken in respect of the petitioners' prayer, let the petitioners be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the



concerned Court in connection with Sasaram Town (Darigawon
O.P.) P.S. Case No.100 of 2022

(Shailendra Singh, J)

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