

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7972 of 2017

Arising Out of PS.Case No. -167 Year- 2016 Thana -SHIVSAGAR District- SASARAM
(ROHTAS)

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Bijay Mushar, Son of Bigan Mushar, resident of village - Mahua, Police
Station - Sheosagar (Baddi), District - Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 22-03-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Sheosagar (Baddi) P.S. Case No. 167 of 2016 for the offences punishable under sections 341, 323, 342, 365 and 506 of the I.P.C and sections 13, 17 and 20 of the U.A.P.A. Act.

Allegedly, from mobile no. 7765977299 the informant received a call to stop the work disclosing collar his name as Rakesh Mishra, the member of T.P.C. Further, the Munshi of the informant also informed the informant that some unknown accused kidnapped the driver of the tractor, namely, Dharmendra



Paswan. However, after taking assurance the driver was released.

Submission is of false implication and that the petitioner is not named in the FIR and from the impugned order it reveals that the name of the petitioner appears in paragraph-30 of the case diary in the confessional statement of co-accused Vijay Rajbhar, besides that there is no other material against the petitioner, similarly situated co-accused Dhupan Singh has been allowed pre-arrest bail vide Cr. Misc. No. 7065 of 2017 by another co-ordinate Bench of this Court and as such the petitioner also deserves sympathetic consideration.

The learned A.P.P. fairly submits that co-accused Dhupan Singh has been allowed pre-arrest bail.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. C.J.M. Rohtas at Sasaram in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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