

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1527 of 2017

Arising Out of PS.Case No. -125 Year- 2013 Thana -RAFIGANJ District- AURANGABAD

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Surendra Mehta, S/o Deo Narayan Mehta, R/o Village - Pachubigha, P.S. -
Rafiganj, District - Aurangabad (Bihar).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Lal Bahadur Singh, Advocate

For the Opposite Party : Mr. Rajendra Singh Shastriji (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 14-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Rafiganj
P.S Case No. 125 of 2013 (G.R. No. 1335 of 2013) registered for
the offences punishable under Sections 147, 148, 149, 341, 323,
387, 427, 435 of the Indian Penal Code and Section 17 of C.L.A.
Act as well as Section 10 of U.A.P. Act.

Allegedly, 7-8 extremists raided the site and put the
dumper as well as poklen machine on fire and further assaulted the
driver and helper.

Submission is of false implication and that the
petitioner is not named in the First Information Report and his
name transpired in the confessional statement of the petitioner



made before the police and besides that there is no allegation against the petitioner, the petitioner is in custody since 10.03.2016. Other co-accused Shubhash Yadav has been allowed bail vide Cr. Misc. No. 51739 of 2016 by another co-ordinate Bench of this Court and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that the prayer of bail of Sunil Khatry has been rejected by another co-ordinate Bench of this Court vide Cr. Misc. No. 55026 of 2016 and the petitioner has got criminal antecedent..

In the facts and circumstances stated above, considering the criminal antecedent of the petitioner at present, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

Let the trial be expedited and concluded preferably within six months and the petitioner will co-operate till disposal of this case.

(Jitendra Mohan Sharma, J.)

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