

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54419 of 2019

Arising Out of PS. Case No.-17 Year-2017 Thana- SHIVSAGAR District- Rohtas

ANIL KUSHWAHA @ SANDESH @ RAKESH MISHRA, aged about 45 years, Gender-Male, Son of Late Subhag Singh, Resident of Village - Kaser, P.S.- Bhagwanpur, Distt - Kaimur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Manish Kumar, Advocate.

For the Opposite Party : Mr.Mithlesh Kumar Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-09-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 147, 148, 149, 323, 435, 385, 386 of the IPC, 13, 17, 20 of U.A.P. Act.

Earlier prayer for regular bail of the petitioner was rejected by the then another Co-ordinate Bench of this Court vide Cr. Misc. No. 26226 of 2018 under order dated 03.05.2018.

This is second attempt for grant of bail on behalf of the petitioner.

The prosecution story, in brief, is that the Poklen Machine of the informant's Company was set on fire by the petitioner and other unknown persons on account of not giving



the levy.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 06.07.2017. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. General and omnibus allegation has been made against the petitioner. No specific overt act has been alleged against the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R. He has got criminal antecedent.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-VII, Rohtas at Sasaram, in connection with Sessions Trial No. 358 of 2017, arising out of Shivsagar (Baddi) P.S. Case No. 17 of 2017.

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(Sudhir Singh, J)

