

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29602 of 2016

Arising out of P.S. Case No. -148 Year- 2015 Thana-BUXAR
(T) District- BUXAR

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Daya Shankar Choubey, Son of Ram Bilas Choubey, Resident of
Village - Amwaliya, P.S. Kargahar, District – Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey, Adv.

For the Opposite Party/s: Sri Nand Kishore Pd. APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

02. 29.08.2016

Heard parties.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 406 and 420 of the
Indian Penal Code.

It is contended on behalf of the petitioner that he is not
associated with the alleged institution and he has been made
accused only for the reason that he happens to be the younger
brother of co-accused, Vikas Choubey who was the Director and
Santosh Choubey was the Principal of the concerned institute
which has allegedly taken admission of the Informant's
daughter. It is urged that the aforesaid two co-accused are the
main accused in this case whereas the petitioner has nothing to

do with the same. It is further contended that the petitioner is having clean antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Daya Shankar Choubey be released on bail in the event of his arrest/surrender before the court below within a period of six weeks from today in connection with Buxar (T) P.S. Case No. 148/2015, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

However, at the time of accepting bail bond, the court below will verify and assure itself regarding the criminal antecedent of the petitioner. If the petitioner is having clean antecedent then his bail bond would be accepted otherwise he would be taken in custody.

(Dr. Ravi Ranjan, J.)

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