

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2221 of 2017

Arising Out of PS.Case No. -216 Year- 2016 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

=====

Umang Dubey, Son of Anand Kumar Dubey, resident of Mohalla- Gopalpur
Raja Bazar, P.S. – Town (Motihari), District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

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

3 08-03-2017 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 Chhatauni P.S. Case No. 216 of 2016 for the offences punishable under sections 399, 402, 120 B and 34 of the I.P.C and sections 20 (B) and 22 of the N.D.P.S. Act.

Allegedly, acting on a tip off that some criminals are making plan to commit crime, raid was conducted and then 10-12 persons were found sitting there and they seeing the police party started fleeing away but after chase out of them seven accused persons were apprehended and the apprehended accused persons disclosed the name of the petitioner and others that they have fled



away.

Submission is of false implication and that due to enmity the petitioner has been named, the petitioner has got no criminal antecedent, no witness has stated that he saw the petitioner fleeing away and only on the basis of the statement of co-accused the petitioner is being searched for his arrest and as such he deserves sympathetic consideration, nothing has been recovered from the house of the petitioner.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the name of the petitioner was taken at once by the accused persons.

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. East Champaran, Motihari 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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