

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31242 of 2017

Arising Out of PS.Case No. -148 Year- 2016 Thana -DINARA District- SASARAM (ROHTAS)

=====

1. Binay Dubey @ Chunnu Dubey Son of Jitendra Dubey, R/o Village-Kharita, P.S.-Dinara, Sitt.-Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 09-10-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Dinara Police Station Case No. 148 of 2016, disclosing offences under Sections 304-B, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has not committed any offence. In fact, there is general and omnibus allegation against the petitioner and no specific overt act is attributed to him. As a matter of fact, the daughter of the informant felt serious ill and she died natural death during course of treatment, which is evident from annexure-2, 2/1 and 2/2. Moreover, the informant



has also filed a petition before the Judicial Magistrate-1st Class stating that due misunderstanding this case has been lodged against the petitioner, which is evident from annexure-3. No any cogent material has come during course of investigation against the petitioner. Moreover, co-accused, Jitendra Kumar Dubey @ Jitendra Dubey and Sunita Devi have already been granted anticipatory bail by a co-ordinate Bench of this Court. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Judicial Magistrate, Bikramganj in connection with Dinara Police Station Case No. 148 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

brajesh/-

U		T	
---	--	---	--

