

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52893 of 2017

Arising Out of PS.Case No. -125 Year- 2017 Thana -NAWANGAR District- BUXAR

- =====
1. Hridya Nand Dubey @ Hridaya Dubey, Son of Late Ram Newaj Dubey
 2. Jagdanand Dubey @ Jagata Dubey, Son of Late Ram Newaj Dubey
 3. Sachchidanand Dubey, Son of Late Ram Newaj Dubey
 4. Munna Dubey, Son of Jagdanand Dubey @ Jagata Dubey
- All are residents of Village Kadasar, P.S. Navanagar (Sonbarsa),
District Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kumar Sunil

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioners and the

learned Additional Public Prosecutor appearing on behalf of the

State.

The petitioners apprehends their arrest in connection
with Navanagar (Sonbarsa) P.S. Case No.125 of 2017, registered
under Sections 341, 323, 324, 308, 379 and 506/34 of the Indian
Penal Code.

Allegation is that all petitioners assaulted the
informant's father and the specific allegation is that
Sachchidanand Dubey and Munna Dubey assaulted with sharp
edged weapon.

Learned counsel for the petitioners submits that on



petty issue the occurrence is said to have been committed but no corresponding injury of the sharp edged weapon is found on the person of the injured. However, there is general allegation against Sachchidanand Dubey and Munna Dubey both and there is no specific allegation against petitioner nos.1 and 2.

Having considered the grievous injuries sustained by the informant's father and the allegation of assault is specific against petitioner nos.3 and 4, namely, Sachchidanand Dubey and Munna Dubey, so their prayer of anticipatory bail stand rejected in connection with Navanagar (Sonbarsa) P.S. Case No.125 of 2017 pending in the court of learned Chief Judicial Magistrate, Buxar and they are directed to surrender and seek regular bail and the same shall be considered on merit without being prejudiced by this order.

Howsoever, there are general and omnibus allegation against petitioner nos.1 and 2, namely, Hridya Nand Dubey @ Hridaya Dubey and Jagdanand Dubey @ Jagata Dubey and there is no corresponding injury relating to allegation of assault and they have got no criminal antecedent, so having considered the said facts and circumstances, let petitioner nos.1 and 2, namely, Hridya Nand Dubey @ Hridaya Dubey and Jagdanand Dubey @ Jagata Dubey in the event of arrest or surrender before the court below



within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Navanagar (Sonbarsa) P.S. Case No.125 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Arun Kumar, J.)

S.Kumar/-

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

