

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73218 of 2018

Arising Out of PS. Case No.-204 Year-2018 Thana- BUXAR District- Buxar

Manish Kumar Dwivedi @ Dhunmun Dubey S/o Priyavrat Dubey R/o
Village- Shivpuri, Budhanpurwa, Ward No. 16, P.S. Buxar (Town), District-
Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Digvijay Kumar Ojha

For the Opposite Party/s : Mr.Sri Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 20-12-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Buxar (Town) P.S. Case No. 204 of 2018, disclosing offences under Sections 147, 148, 149, 323, 504, 354, 379, 380, 307, 386, 447 and 448 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel, appearing on behalf of the petitioner, contends that petitioner was not named in the first information report and there are two first information reports registered in relation to the same occurrence being Buxar (Town) P.S. Case No. 204 of 2018 and 205 of 2018. He contends that the first FIR is based on the written report of the informant Nadhuni Yadav, whereas the second FIR is based on the information which the police had received. He contends that similarly circumstanced co-accused Harendra Kunvar @ Harendra Kumar, has been granted



anticipatory bail by this Court by order dated 07.08.2018 passed in Criminal Misc. No. 43541 of 2018, who is named in the first FIR. He also submits that the petitioner's name has come only on the basis of confessional statement of one of the co-accused persons named in the second F.I.R..

Considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the Court below, 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 Chief Judicial Magistrate, Buxar in Buxar (Town) P.S. Case No. 204 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Ashish/-

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