

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46402 of 2019**

Arising Out of PS. Case No.-43 Year-2016 Thana- SHIVSAGAR District- Rohtas

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RAJU DUBEY S/o Halkhori Dubey R/o village- Mohaniya, P.S.- Shivsagar,
District- Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Pandey, Advocate.

For the State : Mr. Mukeshwar Dayal, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 17-10-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered under Sections 341, 323, 379, 504 and 506/34 of the Indian Penal Code.

Over execution of the land by the informant in favour of her daughters, accused persons including the petitioner were angry and on the date of occurrence while the informant along with his wife and others were sitting at his door, all the accused persons armed with weapons descended



there and inquired about his sons-in-law. Accused nos. 3 and 4 obtained signature of the informant on some blank paper on the point of gun and dagger. All the accused persons snatched the golden chain of the wife of the informant and accused nos.3&4 took away cash of Rs.4500/- and ornaments from his house and petitioner Raju Dubey resorted firing by means of country made pistol, but the informant escaped unhurt, however bullet hit the wall above the door.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in the case due to land dispute. Petitioner and others have lodged Title Suit No. 1189 of 2014 against the informant and others and due to aforesaid reason informant has falsely implicated the petitioner in the case. None has sustained any fire arm injury in the occurrence. All other accused persons have been enlarged on anticipatory bail by the learned lower court.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like



amount each to the satisfaction of the learned C.J.M., Rohtas at Sasaram in connection with Shivsagar P.S. Case No. 43 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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