

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.73092 of 2019

Arising Out of PS. Case No.-201 Year-2018 Thana- NAWANAGAR District- Buxar

PURUSOTAM DUBEY @ PURUSOTAM KUMAR DUBEY, aged about 25 years, Male, Son of Late Shesh Nath Dubey @ Shesh Narayan Dubey, Resident of Village- Karsar, P.S.- Nawanagar, District- Buxar

... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Rang Nath Choubey, Adv.

For the Opposite Party : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-11-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Nawanagar (Sonebarsa O.P.) P.S. Case No. 201 of 2018 registered under Sections 302, 120BB and 34 of the Indian Penal Code and 27 of the Arms Act.

The accusation is that informant, Rajiv Ranjan Pratap Singh, along with his father, Ashok Kumar Singh, and uncle, Narain Singh, were returning from market boarding on motorcycle. In the way Brahmchari Dubey, Govind Dubey, Chandrabhan Dubey and Shri Awadh Bihari Dubey, along with 3-4 unknown, surrounded his motorcycle. On the order of Shri Awadh Bihari Dubey, Brahmchari Dubey fired on his father, Ashok Kumar Singh. At that time, Chandrabhan Dubey and Govind Dubey also fired at the father of the informant, who fell down on ground.

Submission is that it would appear from the first



information report that four persons, including 3 to 4 unknown, are named in the first information report, who surrounded the motorcycle of the informant and firing was also made by named four persons, but, the petitioner is not named in the first information report. In course of investigation Santosh Yadav and Buteli Choudhary were apprehended by the police, who confessed their guilt of firing in the present case, detailing the name of the petitioner, who is co-villager of the informant, but, he was not identified by informant at the time of occurrence.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Nawanagar (Sonebarsa O.P.) P.S. Case No. 201 of 2018 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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