

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71376 of 2019**

Arising Out of PS. Case No.-124 Year-2019 Thana- AANDAR District- Siwan

Sonu Dubey, S/o Late Rajesh Dubey @ Gilu Dubey, R/o village- Andar  
Gherai, P.S.- Andar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                     |
|----------------------|---|-------------------------------------|
| For the Petitioner/s | : | Mr. Ranjeet Kumar Pandey- Advocate  |
| For the State        | : | Mr. Kumar Veerendra Narayan- A.P.P. |
| For the Informant    | : | Mr. Ashok Kumar- Advocate           |
|                      |   | Mr. Niraj Kumar- Advocate           |

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA**

ORAL ORDER

5      24-09-2020                      Heard learned counsel appearing for the petitioner,  
  
learned Additional Public Prosecutor appearing for the State as  
  
well as learned counsel appearing for the informant through  
  
video conferencing.

Petitioner apprehends his arrest in connection with  
  
Andar P. S. Case No.124 of 2019 registered for the offences  
  
punishable under Sections 147, 148, 149, 341, 323, 307, 325,  
  
379, 384, 504 and 506 of the I.P.C. as well as Section 27 of the  
  
Arms Act.

Petitioner is said to have assaulted the informant  
  
with butt of gun causing grievous injury on his left hand and the  
  
other injureds were assaulted by co-accused persons and they



committed loot in the shop of the informant.

Submission on behalf of the petitioner is that in the alleged occurrence, petitioner has falsely been implicated on account of land dispute and, as a matter of fact, the share of the petitioner was got transferred by the informant from the uncle of the petitioner and when petitioner and his brothers were making queries from his uncle about the illegal transfer of lands of the petitioner, the informant and his supporters came there and mercilessly assaulted the petitioner's brother for which petitioner's brother Monu Dubey filed Complaint Case No.1776 of 2019. Learned counsel for the petitioner drew attention towards Annexures of the petition. Learned counsel for the petitioner further submits that moreover, co-accused Diwakar Pandey @ Diwakar Kumar Pandey and Monu Dubey @ Monu Kumar Dubey have already been granted anticipatory bail by a Coordinate Bench of this Court.

On the other hand, learned Additional Public Prosecutor as well as learned counsel for the informant opposed the prayer pointing out that petitioner is said to have mercilessly assaulted the informant and others and petitioner does have criminal antecedent and, therefore, petitioner does not deserve the privilege of anticipatory bail.



Regard being had to the above stated facts and circumstances of the case as well as submissions of the parties, I am not inclined to extend the privilege of anticipatory bail to petitioner and, accordingly, his prayer for anticipatory bail stands rejected.

However, petitioner is directed to surrender before the Court below within eight weeks from today and if, he does so, and seeks regular bail, the concerned Court shall consider the regular bail application of the petitioner on its own merit without being prejudiced by this rejection order.

**(Hemant Kumar Srivastava, J)**

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