

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13927 of 2021

Arising Out of PS. Case No.-100 Year-2020 Thana- SATHI District- West Champaran

1. Binay Kumar Dubey @ Tunnu Dubey @ Vinay Kumar S/O Ramakant Dubey R/O Village Subeya Chargaha Ps Sirisia O.P, District West Champaran
2. Bablu Dubey @ Vijay Kumar Dubey S/O Ramakant Dubey R/O Village Subeya Chargaha Ps Sirisia O.P, District West Champaran
3. Alok Mishra S/O Manu Mishra R/O Village Subeya Chargaha Ps Sirisia O.P, District West Champaran
4. Vinod Dubey S/O Kamta Dubey R/O Village Subeya Chargaha Ps Sirisia O.P, District West Champaran

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-02-2022 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in Sathi P.S. Case No. 100 of 2020 registered for the offence under Sections 147, 148, 149, 341, 323, 324, 325, 307, 504 of the Indian Penal Code and 27 of the Arms Act.

Allegedly, while the informant went to the land where measurement of the land was taking place, the accused persons



including the petitioners armed with deadly weapons started firing upon the family members of the informant. The informant's uncle sustained bullet injury in his hand. The accused persons assaulted the informant with Farsa and lathi, due to which, he sustained injury.

It has been submitted on behalf of the petitioners that the petitioner No. 2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands. Annexure-2 to this application is the counter case.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory 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 Additional Chief Judicial Magistrate-III, Bettiah, West
Champaran s in connection with Sathi P.S. Case No. 100 of
2020 subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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