

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(From The Official Chambers Via Video Conferencing)
CRIMINAL MISCELLANEOUS No.15461 of 2021**

Arising Out of PS. Case No.-365 Year-2020 Thana- MAIRWAN District- Siwan

ABHAY DUBEY S/O RAM EKBAL DUBEY R/O VILLAGE SEWTAPUR
BIRTI TOLA P.S MAIRWA DISTRICT SIWAN

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 17-01-2022 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner.

The petitioner apprehends his arrest in connection with Mairwa P.S. Case No. 365 of 2020, registered for the offences punishable under Sections 341, 323, 308, 379, 34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the allegation in the FIR are general and omnibus.

As per FIR, the six accused persons including the petitioner assaulted the husband of the informant and her family members and Ram Ekbal Dubey took Rs. 750/- from his pocket.



From perusal of the injury reports, it appears that all the injuries are simple in nature caused by hard and blunt substance except injury on the person of informant's husband which is grievous but this injury has not been attributed specifically against any accused persons rather there is general and omnibus allegation against the accused persons that they assaulted the husband of the informant and her family members.

Considering the above-mentioned facts and circumstances, let the petitioner be released on anticipatory bail in the event of his arrest or surrender within four weeks before the learned court below on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Siwan in connection with Mairwa P.S. Case No. 365 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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