

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2706 of 2023

Arising Out of PS. Case No.-210 Year-2022 Thana- GOVINDGANJ District- East
Champaran

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1. RAJAN KUMAR DUBEY SON OF MAYA DUBEY @ MAYA DUBE R/O VILLAGE- MISHRAULIA, P.S.- GOVINDGANJ, DISTRICT- EAST CHAMPARAN
 2. PRINCE DUBEY SON OF MAYA DUBEY @ MAYA DUBE R/O VILLAGE- MISHRAULIA, P.S.- GOVINDGANJ, DISTRICT- EAST CHAMPARAN
 3. DHEERAJ KUMAR SINGH SON OF LAXHHANDEO SINGH R/O VILLAGE- MISHRAULIA, P.S.- GOVINDGANJ, DISTRICT- EAST CHAMPARAN
 4. BITTU MISHRA SON OF DHURUP MISHRA R/O VILLAGE- MISHRAULIA, P.S.- GOVINDGANJ, DISTRICT- EAST CHAMPARAN
 5. DILKHUSH MISHRA @ DILKUSH MISHRA SON OF SATYANAND MISHRA R/O VILLAGE- MISHRAULIA, P.S.- GOVINDGANJ, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan, Adv.
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-03-2023 Heard the parties.

Petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 325, 307, 379, 506/34 IPC.

As per the prosecution case, the F.I.R. named accused persons including the petitioners intercepted the informant in his way and demanded the money, which he was carrying. Thereafter, they indiscriminately assaulted the informant and his



brother-in-law by means of various weapons.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The injuries are not fatal and are manufactured one. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against the petitioner 3 and 4 to assault the brother-in-law of the informant and one of the injury was found grievous in nature.

Considering the nature of injury, I am not inclined to enlarge the petitioner nos.3 and 4 on bail. The prayer for grant of anticipatory bail on behalf of petitioner nos.3 and 4 is hereby dismissed.

However, having regard to the facts and circumstances of the case, since there is general and omnibus allegation against rest rest of the petitioners, let the above named petitioner nos.1, 2, 5 and 7, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six



weeks from today, on furnishing bail bond of Rs. 25,000/-
(Rupees Twenty Five Thousand) each with two sureties of the
like amount each to the satisfaction of the learned court below
where the case is pending/Successor Court in connection with
Govindganj P.S. Case No.210 of 2022, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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