

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26451 of 2023

Arising Out of PS. Case No.-565 Year-2022 Thana- BIDUPUR District- Vaishali

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MANI BHUSAN CHAUBEY @ MANEE BHUSHAN KUMAR Son of
Upendra Chaubey R/V- Maeil, Ward no.11, PS- Bidupur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

For the Opposite Party/s : Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 307, 354, 379, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent.

4. The informant alleges that all the accused persons
came variously armed and assaulted him and his father, further
when Geeta and Sonelal came to save them, they were also
assaulted causing injury on head, thereafter Dharamveer was
assaulted with *farsa* causing cut injury on head and thereafter
the accused persons snatched Rs. 50,000/- from his father and
petitioner threw bottles after drinking, it is next alleged that



Geeta was dashed on the ground making her semi-naked.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that no specific allegation of assault is alleged against the petitioner rather the informant alleges that petitioner threw bottles after drinking, but then does not allege that anyone was injured by the act of the petitioner, it is next submitted that there is prohibition in the State of Bihar, as such it absolutely does not stand to reason that the petitioner would have been drinking and throwing bottles and thus creating evidence against himself.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bidupur P.S. Case



No. 565 of 2022 subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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