

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25790 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- SISWAN District- Siwan

-
1. Rajmangal Dubey Son Of Late Mayan Dubey R/O Vill Noniya Pati, Ps -SISWAN ,DIST- Siwan Bihar
 2. Rajendra Dubey Son Of Late Mayan Dubey R/O Vill Noniya Pati, Ps -SISWAN ,DIST- Siwan Bihar

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shovendra Kumar

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 342, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, petitioner no. 1 along with co-accused Shiya Ram Dubey is said to have assaulted Kamlesh Singh by means of rod, causing cut injury. Petitioner no. 2 is said to have assaulted on the head of the informant by means of *Sabal* causing injury to him.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this



case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific overt act against petitioner no. 1. He further submits that there is case and counter case between the parties. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that there is no specific overt act against petitioner no. 1, let the above named petitioner no.1, be released on bail, in the event of his 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) 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 Siswan P.S. Case No. 29 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Considering the facts and circumstances of case and the fact that there is specific allegation against petitioner no. 2, I am not inclined to enlarge petitioner no.2 on anticipatory



bail. The prayer for anticipatory bail of the petitioner no. 2 is hereby rejected.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

