

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45307 of 2023

Arising Out of PS. Case No.-276 Year-2022 Thana- GUTHANI District- Siwan

Vikash Dubey Son of Tarkeshwar Dubey, Resident of Village- Kharwaniya
P.S.- Lar Dist- Deoria (U.P.).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 325, 307, 120B of the Indian Penal Code read with Section 27 of the Arms Act.

3. As per prosecution case, the F.I.R. has been lodged against eight named accused persons. The specific allegation against Robin Singh @ Bade is to fire on the chest of the informant and allegation against Roshan Singh is to fire causing injury on the face of the informant due to which his teeth was injured. The allegation against co-accused Vikash Singh and Balbir Singh is to make indiscriminate firing and allegation against Sunil Yadav, Nikesh Gond and Vikash Dubey (present



petitioner) is that they are also involved in firing in addition to driving the vehicle.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that the informant is a political leader of MALE party and name of present petitioner including others has been disclosed in the F.I.R. only and only due to political rivalry. He also submits that the informant is leader of MALE party and in habit of grabbing the landed properties in the locality due to which there is dispute and series of persons are enemy of informant. Learned counsel submits that petitioner is a follower of different political party and is an active member who use to oppose the informant and only with a view to keep his mouth shut, the informant has made allegation against the petitioner. He further submits that Co-ordinate Bench of this Court has granted anticipatory bail to the co-accused vide order dated 28.07.2023 passed in Cr. Misc. No.44160 of 2023. He also submits that there are two criminal cases pending against the petitioner in which he is on bail. Learned counsel submits that petitioner is a law abiding citizen and ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned A.P.P. for the State opposes the prayer for



bail.

6. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan, in connection with Guthani P. S. Case No.276 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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