

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64047 of 2022**

Arising Out of PS. Case No.-270 Year-2021 Thana- NAWANAGAR District- Buxar

Chandrabhan Dubey @ Gopal Jee Dubey Son Of Brahmchari Dubey@ Mintu Dubey, R/V- Karsar, P.S- Nawanagar (Sonbarsa O.P) Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 24-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Nawanagar (Sonbarsa) P.S. Case No. 270 of 2021 registered under sections 302 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the husband of the informant was called out by the co-accused Dinesh Rawani from his house and was taken to market where he was shot dead. The informant named the co-accused persons including this petitioner and the informant saw this petitioner fleeing away from the place of occurrence.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case due to land dispute. There is delay in lodging the F.I.R. and no explanation for the same. It is further submitted that the present prosecution party tried to kill the petitioner by throwing acid, for which Nawanagar (Sonbarsa) P.S. Case No. 118 of 2017 was lodged by this petitioner. There is no consistent material available against the petitioner rather he was only seen by fleeing away from there, and on this basis his name transpired in this case. It is further submitted that the specific allegation is against other co-accused persons, namely, Awadh Bihari Dubey, Dhananjay Pandey and Dinesh Rawani and they all have been granted bail by different Bench of this Court vide order dated 14.09.2022. in Cr. Misc. No. 67484 of 2021, 67538 of 2021 and 21849 of 2022. The petitioner is languishing in judicial custody since 27.07.2021.

The application for bail is vehemently opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Nawanagar (Sonbarsa) P.S. Case No. 270 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten



thousand) with two sureties of the like amount each to the
satisfaction of the learned Additional Sessions Judge, 4th Buxar.

(Sunil Kumar Panwar, J)

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