

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69437 of 2023

Arising Out of PS. Case No.-112 Year-2023 Thana- NAUHATTA District- Rohtas

1. Ghanshyam Dubey @ Bholu Son of Late Akarur Dubey, R/o vill - Nauhatta, P.S. - Nauhatta, Distt. - Rohtas.
2. Sanjeev Kumar Upadhyay Son of Satyendra Upadhyay, R/o vill - Nauhatta, P.S. - Nauhatta, Distt. - Rohtas.
3. Rajiv Upadhyay Son of Satyendra Upadhyay, R/o vill - Nauhatta, P.S. - Nauhatta, Distt. - Rohtas.
4. Satyendra Upadhyay Son of Late Ram Vinod Upadhaya, R/o vill - Nauhatta, P.S. - Nauhatta, Distt. - Rohtas.
5. Gyanendra Dubey @ Gaynendra Kumar Dubey @ Gaynendra Dubey Son of Late Chaturanand Dubey, R/o vill - Nauhatta, P.S. - Nauhatta, Distt. - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate.
For the Opposite Party/s : Mr. Umanath Mishra, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Nauhatta P.S. Case No. 112 of 2023 dated 01.08.2023, instituted under Sections 341, 323, 325, 379, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, the allegation against the petitioners are that they had assaulted the informant and snatched the mobile phone and Rs.9,200/- from the pocket of



informant.

4. Learned counsel for the petitioners submits that all sections under which the F.I.R. has been lodged are bailable in nature except Section 379 of the Indian Penal Code which is not applicable against the petitioners. He further submits that petitioners have been implicated in this case due to village politics. He also submits that antecedent of petitioners are clean. Learned counsel submits that the allegations made against the petitioners are general and vague. He further submits that there is no recovery of any incriminating article from the possession of petitioners.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Dehri, District Rohtas in connection with Nauhatta P.S. Case No. 112 of 2023, subject to the conditions laid down in Section 438(2) of the



Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J.)

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