

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72667 of 2023

Arising Out of PS. Case No.-92 Year-2023 Thana- MAJHAULIA District- West Champaran

Satish Dubey @ Satish Kumar Dubey Son Of Binod Dubey @ Binod Singh
R/O Village- Jagarnathpur, P.S.- Gopalpur, District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-12-2023 Heard Mr. Sanjeev Kumar, learned counsel for the petitioner and Mr. Dilip Kumar No. 1, learned A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Majhauria P.S. Case No. 92 of 2023 dated 27.01.2023, registered for the offence punishable u/s 394, pending in the court of learned C.J.M., Bettiah, West Champaran.

3. Learned counsel for the petitioner submits that the petitioner is quite innocent and has been falsely implicated in this case due to previous grudge. The allegations levelled against the petitioner is general and omnibus in nature. Petitioner has two criminal antecedents mentioned paragraph 3 of the petition. He further submits that petitioner is not named in the F.I.R. only on the basis of confessional statement of co-accused petitioner has been made accused in



the present case. No incriminating articles has been recovered from the conscious possession of the petitioner or the house of the petitioner.

4. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence he does not deserve anticipatory bail. He further relied upon the judgment of the Apex Court in the case of ***Indresh Kumar Vs. The State of Uttar Pradesh & Anr.***

5. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order in accordance with law without being prejudiced by this order on the very date of surrender.

6. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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