

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4966 of 2024

Arising Out of PS. Case No.-250 Year-2021 Thana- SISWAN District- Siwan

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Kallu Dubey @ Vinay Dubey Son of Rajendra Dubey @ Shambhu Dubey R/o
Village - Kausad, P.S.- Raghunathpur, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Siswan P.S. Case No.250/2021 registered for the offence
punishable under Section 395 of the Indian Penal Code &
Section 27 of the Arms Act, pending in the Court of learned
J.M. 1st Class, Siwan.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and has been falsely
implicated in the instant case based on confessional statement of
co-accused in police custody, which does not have any
evidentiary value. It is next submitted that the informant alleges
that on 05.10.2021 while he along with Shivjee Prasad were
returning home when they were intercepted by two accused



persons on a motorcycle and were asked to stop and when they did not stop they fired causing injury on the thigh, hence they fell. Thereafter the accused took Rs.15,000/- and documents of the motorcycle at pistol point, in the meantime, four more accused came on two motorcycles armed with firearms and they took away the motorcycle and money towards Chainpur. It is submitted that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and confession is a weak evidence.

4. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that petitioner has antecedent of two cases of similar nature and the allegation is of firing against the informant and he also received injury. It is next submitted that the investigation is still going on.

5. Considering the submissions made by the learned APP, the court is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. Accordingly, the anticipatory bail application of the petitioner stands rejected.

(Satyavrat Verma, J)

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