

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37451 of 2024

Arising Out of PS. Case No.-126 Year-2023 Thana- ISUAPUR District- Saran

Chandan Dubey @ Prakash Dubey S/o Sunil Kumar Dubey @ Prakash Dubey
@ Tuntun Dubey R/o Datara Pursauli, P.S. - Ishuapur, Distt. - Saran at
Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh No. I

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 02-08-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Ishuapur Police Station Case No. 126 of 2023, dated 12.05.2023, disclosing offences punishable under Sections 341/323/353/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 12.05.2023, at about 02:00 PM, the police reached the house of the petitioner and made inquiries about the petitioner from the accused persons and the family members of the petitioner. The co-accused persons surrounded the police party and started abusing them and



prevented the police party in discharge of their official duties. Taking advantage of the same, the petitioner succeeded in fleeing away. The Mahal Chowkidar has disclosed the name of the petitioner and other co-accused persons.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of one First Information Report lodged against him under the provisions of the Bihar Prohibition and Excise Act, 2016. The petitioner was not present at the time of arrival of the police and name of the petitioner and others was disclosed by the Mahal Chowkidar. He further submits that in the case registered under the provisions of the Bihar Prohibition and Excise Act, 2016, the anticipatory bail application of the petitioner is pending. He further submits that co-accused persons, namely, Pramila Devi, Dip Narayan Dubey and Jitesh Kumar Dubey, have been granted anticipatory bail by this Court, vide order, dated 18.01.2024, passed in Criminal Misc. No. 80527 of 2023.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that



the name of the petitioner has been disclosed by the Mahal Chowkidar and co-accused persons have been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran, at Chapra, in connection with Ishuapur Police Station Case No. 126 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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