

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51839 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- Dhobaha District- Bhojpur

Rohit Dubey Son of Bhalu Dubey R/O Vil.- Salempur, P.s.- Dhobaha, Ara
Mufassil, Dist.- Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubham Sourav

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-09-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
307, 379, 504, 506 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of five cases, two of which under the
Excise Act and the informant alleges that he had gone to attend
a marriage where Prem tried to strangle him and petitioner
snatched his chain and Rs. 5,300/- and the cause of occurrence
is that the informant had objected and videographed the
distribution of less grains by Dadan Dubey, a PDS dealer, to the
beneficiary.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the



informant. It is next submitted that even presuming what has been alleged is true without admitting, then from bare perusal of the allegation as alleged in the FIR, no offence under Section 307 of the IPC is made out. It is next submitted that since petitioner is related to Dadan Dubey as such he has been implicated. It is further submitted that petitioner will not abscond rather will cooperate in the investigation for proving his innocence.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Dhobaha P.S. Case No. 08 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his father, Bhalu Dubey.



8. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner after recording reasons.

9. Let a copy of this order be sent to the concerned P.S. through the learned Trial court.

(Satyavrat Verma, J)

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