

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61661 of 2024

Arising Out of PS. Case No.-202 Year-2023 Thana- SIMRI District- Buxar

1. Pankaj Kumar Dubey @ Pankaj Dubey Son of Kamla Dubey Resident of Village - Pandeypur, P.S. - Simri, District - Buxar
2. Vijay Shankar Dubey Son of Satya Narayan Dubey Resident of Village - Pandeypur, P.S. - Simri, District - Buxar
3. Akhilesh Kumar Dubey @ Akhilesh Dubey Son of Bharat Dubey Resident of Village - Pandeypur, P.S. - Simri, District - Buxar
4. Amit Kumar Dubey @ Amit Dubey @ Katora Dubey Son of Bharat Dubey Resident of Village - Pandeypur, P.S. - Simri, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-09-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379, 384, 427, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on the alleged date and time of occurrence, when informant and one Chandan Kuwar came out of the Block Camp after attending a meeting, all the F.I.R. named accused persons including these petitioners, armed with deadly weapons, surrounded them and on the exhortation



of co-accused Satyanarayan Dubey, co-accused Vijayshankar Dubey caused injury on the head of informant with butt of pistol, whereas other co-accused persons assaulted Chandan Kuwar with *lathi* and *danda*, due to which, Chandan Kuwar also sustained injury. It is next alleged that accused persons also snatched cash of Rs. 50,000/-, a locket and a bracelet from them as also they (accused) took away cash of Rs. 3 lacs, which was kept in the car of informant.

4. Learned counsel for the petitioners submits that as per F.I.R., petitioners are only alleged to be members of the mob. There is no allegation of any overt act against petitioners. Specific allegation of assault is against co-accused Vijayshankar Dubey.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Buxar



in connection with Simri P.S. Case No. 202 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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