

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13589 of 2025

Arising Out of PS. Case No.-210 Year-2024 Thana- NASRIGANJ District- Rohtas

Golden Dubey S/o- Shivmuni Dubey Village- Kathadihari Ps- Sasaram Dist-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 04-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State. Perused the case diary.

2. The petitioner apprehends his arrest in connection with Nasriganj P.S. Case No. 210 of 2024 instituted for the offence under Sections 302, 120(B) & 34 of the Indian Penal Code and Sections 25(1-B)a, 26, 35 & 27 of the Arms Act.

3. The prosecution case, as emanates from the FIR, is that all the F.I.R. named accused persons threatened the informant and his brother, namely, Atul Kumar (deceased) of killing them. It is alleged that on the fateful day i.e. on 29-06-2024, while the brother of the informant was returning from the Gym, he was shot dead. The accusation against the accused persons and 3-4 unknown miscreants is of committing murder of the Informant's brother.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to dirty village politics as also on the basis of suspicion. The petitioner was neither apprehended on spot nor anything incriminating has been recovered from his conscious possession. The petitioner is not named in the F.I.R. and his name has surfaced in this case on the basis of the confessional statement of the co-accused Gandhi Chaudhary which has no evidentiary value in the eye of law. The petitioner has one criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence.

5. Learned counsel for the petitioner further submits that the co-accused Raja Khan and Saurabh Kumar have been granted regular bail by this Court vide orders both dated 10.12.2024 passed in Cr. Misc. Nos. 72251 of 2024 and 73025 of 2024 respectively.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, stating that the offence alleged is serious in nature. He further submits that the confessional statement of the witness and informant shows the involvement



of the petitioner as conspirator of the alleged commission of offences. All the witnesses including the Informant have supported the case of prosecution. The postmortem report supports the prosecution case. Learned counsel for the State further submits that the prayer for bail of the co-accused Gandhi Chaudhary has already been rejected by this Court vide order dated 10.12.2024 passed in Cr. Misc. No. 76498 of 2024.

7. Having heard learned counsel for the parties and taking into account the entire facts and circumstances of the case as also considering the nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner. This is a fit case for regular bail.

8. Accordingly, the prayer for anticipatory bail of the petitioner, above named, is rejected. If the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

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