

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38042 of 2025

Arising Out of PS. Case No.-209 Year-2025 Thana- CHAINPUR District- Kaimur (Bhabua)

Vikash Kumar Dubey @ Vikash Dubey, S/o- Late Arun Kumar Dubey @ Late Arun Dubey, Resident of Village- Kaser, PS-Bhagwanpur, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-07-2025 Heard Mr. Parwej Khan, learned counsel for the petitioner and Mr. Aditya Narayan Singh.1, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Chainpur P.S. Case No. 209 of 2025 instituted for the offence under Sections 140(3), 308(5) and 3(5) of the BNS.

3. The case of the prosecution is that one Santosh Kharwar has disclosed that this petitioner along with others have called them for receiving the articles of auction. It is further alleged that they have taken the amount of auction but have not handed over the auctioned articles and it is also alleged that altogether Rs. 3,55,000/- in cash was taken by the accused



persons and this petitioner has received 10,000/- through mobile.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It has further been submitted that Santosh Kharwar on whose statement the name of this petitioner has surfaced is a mechanic and he has taken advance from the petitioner for certain work which he has not paid to the petitioner. To support this argument, the learned counsel for the petitioner has annexed Annexure-P/2 which goes to show that Santosh Kharwar has taken Rs. 25,000/- from the petitioner. Learned counsel for the petitioner has also submitted that no amount has been received by him and his name has surfaced on the statement of Santosh Kharwar, who was having dispute with the petitioner. Petitioner is having no criminal antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of



four weeks from today and in the event of his arrest or surrender in connection with Chainpur P.S. Case No. 209 of 2025, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Vth, Kaimur at Bhabua, subject to the conditions as laid down under section 482 (2) of the B.N.S.S.

(Ashok Kumar Pandey, J)

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