

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41400 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- Badem P.S. District- Aurangabad

Dipu Dubey Son of Late Bijay Dubey R/o village - Pachmo, P.S.- Barem,
District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Badem P.S. Case No. 31 of 2025 for the offence under Sections 303(2) and 317(2) of the BNS.

3. As per the prosecution story, the informant has alleged that on 25.04.2025 he found total nine bags of wheat was missing. Further it is alleged that two accused persons namely Dipu Dubey (petitioner) and Shivam Dubey have stolen the aforesaid bags and hidden them in paddy husk.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged in the F.I.R. The present case has been lodged after nine days of the alleged occurrence. As per the prosecution case, the



occurrence is alleged to have been taken place on 24/25.04.2025 for which the present case has been lodged on 03.05.2025. The present case has been lodged against two named persons including the present petitioner and an allegation/suspicion of theft of nine bags of wheat have been leveled against both the accused persons. Learned counsel further submits that the matter has been compromised between both the parties and the compromise petition is annexed in bail petition as Annexure-2, in which it is mentioned that matter is amicably settled between the parties.

5. Learned APP opposes the prayer for bail.

6. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Badem P.S. Case No. 31 of 2025 subject to the conditions as laid down under Section 482 of B.N.S.S., as also with the following conditions:-

(i) One of the bailors should be close relative of



the petitioner.

(ii) if the petitioner tampers with the evidence or threatens the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail bonds may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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