

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43509 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- DAUDPUR District- Saran

Prabhakar Dubey @ Munna Dubey @ Prabhakar Duney @ Munna Baba Son
of Late Ram Datt Dubey Resident of village - Bangra, P.S.- Daudpur, District
- Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Adv.
For the State	:	Mr. Gauri Shankar Gupta, APP
for the Informant	:	Mr. Yashraj Bardhan, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 03-11-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner is apprehending his arrest in connection with Daudpur P.S. Case No. 28 of 2025 registered for the offence punishable under Sections 126(2), 115(2), 109, 351(2), 352, 3(5) of BNS and Sections 25(1-B)a, 26, 35 of the Arms Act.

3. As per prosecution case, petitioner and others are said to have abused and assaulted the informant. It is further alleged that petitioner fired upon the informant from the pistol as a result of which informant sustained injury near the elbow of his right hand.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that there is seven days delay in lodging the FIR as the alleged occurrence took place on 24.01.2025 but FIR was lodged on 31.01.2025 without any plausible reason which questions the authenticity of the prosecution story. He further submits that injury sustained by the informant is simple in nature. Petitioner carries criminal antecedent of eleven cases, out of which in three cases he has been acquitted and in three cases he is on bail.

5. The learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner and submits that there is specific allegation of firing against the petitioner and the same is corroborated by the injury report of the informant. Apart from that, petitioner bears criminal antecedent of series of cases and hence, petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with injury report, keeping in view series of criminal antecedent of the petitioner as well as material available on record, I am not inclined to grant anticipatory bail to the petitioner. Accordingly,



the prayer for anticipatory bail of the petitioner is hereby
rejected.

(Alok Kumar Pandey, J)

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