

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73372 of 2025

Arising Out of PS. Case No.-313 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

1. Vishwanath Dubey @ Vishwanath Dwivedi S/o Late Kamla Dubey Resident of Village - Chamanpura, P.S. - Baikunthpur, District - Gopalganj
2. Sonu Dubey S/o Vishwanath Dubey @ Vishwanath Dwivedi Resident of Village - Chamanpura, P.S. - Baikunthpur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-11-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioner has antecedent of one case and the informant alleges that while he along with his wife were returning home and reached near the house of Vishwanath Dubey (petitioner no. 1) on 01.09.2023, when Sonu Dubey (petitioner no. 2) came out of the house and assaulted him by lathi causing injury on his head thereafter Vishwanath Dubey assaulted the wife of the informant by lathi causing injury on her hand and back. Further, the reason



for the occurrence is that Vishwanath Dubey about four years back had taken Rs.56,000/- for constructing his house but the same was not returned till date.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant on account of dispute relating to Rs.56,000/-. It is further submitted that though informant alleges that an amount of Rs.56,000/- was taken by Vishwanath Dubey but then the said allegation is a bald allegation without any documentary evidence. It is next submitted that even presuming what has been alleged is true without admitting then the injury suffered by the injured has been opined to be simple as has been pleaded at para 10 of the anticipatory bail application.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where



the case is pending/Successor Court in connection with
Baikunthpur P.S. Case No. 313 of 2023, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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