

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18975 of 2026

Arising Out of PS. Case No.-109 Year-2019 Thana- MAJHAULIA District- West Champaran

Ashwini Dubey @ Ashwani Dubey @ Golu Dubey S/o Ajay Kumar Dubey @
Ajay Dubey R/o Gandhi Nagar, Road No.2, Kalhua, Paigambarpur, PS-
Ahiyapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-04-2026 Heard Mr. Vinay Ranjan, learned counsel for the
petitioner and Mr. Rana Randhir Singh, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
19.11.2025 in connection with Majhauriya P.S. Case No. 109 of
2019, F.I.R. dated 22.03.2019 for the offences punishable under
Section 387 of the IPC.

3. According to prosecution case, a phone call has
been received by the informant where *rangdari* has been
demanded from him and on non-fulfillment of the same, firing
was done at his shop.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact, petitioner was not named in the FIR and his name has been transpired on the basis of the confessional statement of the co-accused, namely, Priyaranjan Kumar @ Risabh Raj and except the confessional statement, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. Nothing has been recovered from the possession of the petitioner in fact, the recovery has been made from the co-accused, Bipul Kumar and Pintu Kumar. He further submits that the petitioner was arrested in Majhauiliya P.S. Case No. 303 of 2018 and has been remanded in the present case on 19.11.2025. He further submits that similarly situated, co-accused, namely, Priyaranjan Kumar @ Risabh Raj who has confessed the name of the petitioner has been granted bail by a co-ordinate Bench of this Court vide order dated 31.07.2019 passed in Cr. Misc. No. 46003 of 2019 and another co-accused, namely, Mukesh Pathak has also been granted bail by this Court vide order dated 19.07.2023 passed in Cr. Misc. No. 74895 of 2022. The petitioner is in custody since 19.11.2025.

5. The learned Additional Public Prosecutor has



vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries nine criminal antecedents other than the present one but fairly submits that out of nine cases he is on bail in seven cases and two cases are pending for consideration before the competent court of law.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Majhauriya P.S. Case No. 109 of 2019, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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