

Sl. No.	Date of order of proceeding	Order with the signature of the Court	Office action taken with date
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		In the Court of the Sessions Judge, Palamau <u>Anticipatory Bail Petition No. 748/25</u> <u>Arising out of Hussainabad P.S. Case No.171/25</u> CNR NO. JHPL01-003719-2025 Name of Accused Petitioner : Dilip Dubey & 4 Ors. Name of Informant : Manoj Kr. Dubey Learned counsel for petitioner : Sri Sukhdeo Diwedi, Ld. Advocate Learned counsel for Prosecution : Smt. Pushpa Sinha, Ld. P.P.I/c	
	15.07.25	The anticipatory bail petition filed under Section 482 of B.N.S.S. on behalf of accused petitioners namely (1) Dilip Dubey, (2) Niraj Dubey, (3) Dharmendra Dubey, (4) Sidharth Dubey and (5) Ravi Shankar Dubey, who are apprehending their arrest in relation to <u>Hussainabad P.S. Case No. 171/25</u> registered under Sections 191(2), 120, 126(2), 115(2), 109, 324(4) BNS, is taken up for hearing. It has been submitted by learned counsel appearing on behalf of petitioners that they had committed no offence whatsoever as alleged in the written report. Both the parties are gotiya and informant party want to grab the land of petitioner by erecting eaves and there is land dispute between the parties. Allegations are general and vague in nature and offence under Section 109 BNS is added purposely. Therefore, having placed reliance upon submission made herein above, it is submitted that accused petitioner may be admitted on anticipatory bail. Learned P.P. as also the learned counsel for informant opposed the prayer for anticipatory bail and submitted that considering the seriousness of the offence, the bail petition filed on behalf of accused petitioners is fit to be rejected. Consequent upon rival submission a careful perusal of record. In this case criminal law has been set in motion in the light of written report filed by <i>Manoj Kumar Dubey</i> alleging inter-alia that on 02.07.25 at about 9.00 A.M when he was engaged in construction of roof at home, above named petitioners came there and asked to stop the work and when it was protested, they damaged the centering. There is specific case of prosecution that accused petitioners assaulted son of informant causing bodily injury. The entire allegation as levelled against the petitioners appears to be based upon general and omnibus allegation. More so, both the parties are on <i>inimical relation arising out of land dispute</i>. The genesis of the occurrence is traceable into construction of eaves. It is also manifest from perusal of matter available on record that accused petitioner <i>Sidharth</i> has also brought a case against the	

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		informant vide <u>Hussainabad P.S case No. 172/25</u> registered under Section 126(2), 115(2), 117(2), 303(2), 352, 351(2), 3(5) BNS. Therefore taking into account the above discussed facts and both the parties are in inimical relation, this court does not find any requirement of custodial interrogation. Hence, considering the facts and circumstances, the anticipatory bail petition filed on behalf of above named petitioner stands allowed. The accused petitioners are directed to surrender before the learned Court below within two weeks from today and in the event of their arrest or surrender, the Court below shall enlarge them on bail, on furnishing bail bond of Rs. 20,000/- (Twenty thousand) each with two sureties of like amount to the satisfaction of the Court below on the terms and conditions enumerated under Section 482(2)(i)(ii)(iii)(iv) of B.N.S.S. (Dictated) (Diwakar Pandey) Sessions Judge, Palamau. J.O.Code:JH00394	
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