

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46825 of 2022

Arising Out of PS. Case No.-819 Year-2020 Thana- MAJHAULIA District- West Champaran

SUSHIL KUMAR DUBEY @ SUSHIL DUBEY S/o Jatashankar Dubey R/o
village- Dhankutwa, P.S.- Majhauria, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 02-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Sessions Trial No. 289 of 2022, arising out of Majhauria P.S. Case No. 819 of 2020, registered for the offence punishable under Sections 448, 341, 323, 324, 325, 379, 307, 504, 506 and 34 of the Indian Penal Code.

The allegation is regarding an altercation having taken place in between the parties and the accused persons had arrived at the house of the informant in the night of 12.12.2020 and had abused and assaulted the informant and his



family members. As far as the petitioner is concerned, he is stated to have hit on the nose of the informant by butt of a pistol, resulting in the nose of the informant having been fractured.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 7.2.2022. The learned counsel for the petitioner has further submitted that the petitioner has already been suitably punished on account of the period of incarceration of the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, apart from the fact that he is having a clean



antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 5th Additional District & Sessions Judge, Bettiah, West Champaran in connection with Sessions Trial No. 289 of 2022, arising out of Majhaulia P.S. Case No. 819 of 2020.

(Mohit Kumar Shah, J)

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