

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17395 of 2024

Arising Out of PS. Case No.-77 Year-2023 Thana- JAMOBABAZAR District- Siwan

Suresh Dubey Son of Late Jagarnath Dubey Resident of vill.-Jalalpur, P.S.-
Jamobazar, Distt.-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate

For the Opposite Party/s : Mr. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 19-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Jamobazar P.S. Case No. 77 of 2023 dated 23.04.2023,
instituted for the offence punishable under Sections 341, 342,
447, 323, 325, 307, 504, 506/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he
assaulted the informant by slaps and fits.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that the investigation officer has
submitted the final form bearing Final Form No. 93 of 2023
and exonerated the petitioner, Tara Devi, Sujeet Dubey and
Prince Dubey from the accusation levelled against them but the
learned Magistrate differing with the final form and took



cognizance against all the accused persons including the petitioner. It is further submitted that there is a case and counter case. Petitioner's side lodged Jamobazar P.S. Case No. 78 of 2023 against the informant and his family members. There is also a land dispute between the parties. Petitioner's side has filed Title Suit No. 566 of 2023 against the informant side which is pending. Lastly, it has been submitted that the petitioner has two criminal cases against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Jamobazar P.S. Case No. 77 of 2023 , he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.- 1st Class, Siwan, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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