

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70300 of 2024

Arising Out of PS. Case No.-146 Year-2024 Thana- JALALPUR District- Saran

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Alok Kumar Dubey @ Alok Dubey Son of Vijendra Dubey @ Vajindra Dubey @ Bijendra Dubey @ C.O. Dubey Resident of village- Dubaliya (Dubwaliya), Ps- Jalalpur, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar Nirala, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 20-11-2024 Heard learned counsel for the petitioner and learned APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Jalalpur P.S. Case No. 146 of 2024 instituted for the offences under Sections 341, 323, 324, 307 of the Indian Penal Code.

3. Prosecution case, in short, is that, on the alleged date and time, this petitioner called the son of the informant and and took him away and attacked him with knife with intention to kill him.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that FIR has been lodged against the petitioner merely on the basis of suspicion. Learned



counsel further submitted that no specific cut mark has been stated in the FIR and FIR has been lodged after a delay of one day. Learned counsel further submitted that as per injury report, sharp cut injury has been sustained. Learned counsel further submitted that petitioner had no intention to kill the informant's son. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.07.2024 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jalalpur P.S. Case No. 146 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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