

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72436 of 2023

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

Bihari Dubey, Son Of Suresh Dubey R/O Village- Jalalpur, P.S.- Jamobazar,
District- 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. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 08-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Jamobazar P.S. Case No. 77 of 2023 for the offences registered
under Sections 341, 342, 447, 323, 325, 307, 504, 506/34 of the
Indian Penal Code.

3. As per the prosecution case, there is allegation
against the petitioner that he gave *Dab* blow on the head and
right hand of the informant causing injury.

4. Learned counsel for the petitioner submits that
there is land dispute and case and counter case between the
parties. Allegation against the petitioner is not corroborated by
the medical evidence. Petitioner has one criminal antecedent
which belongs to Excise Act. He is in custody since 21.07.2023.



Charge-sheet has already been submitted. There is no chance of tampering with the evidence or absconding of the petitioner. It is further submitted that similarly situated co-accused persons, namely, Sudama Dubey and Hemant Shukla have already been granted bail by a Co-ordinate Bench of this Court, vide order dated 30.08.2023 passed in Cr. Misc. No. 56864 of 2023 and Cr. Misc. No. 56881 of 2023.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Jamobazar P.S. Case No. 77 of 2023.

(Sunil Dutta Mishra, J)

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