

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14392 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- MAIRWAN District- Siwan

Tribhuban Dubey Son of Shankarji Dubey Resident of Village - Sajana
Makariyar, P.S. - Mairwan , District - Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rabindra Kumar Ravi Mr. Amit Kr Anand Mr. Hira Sharma
For the Informant	;	Mr. Ajay Kr. Tiwari
For the Opposite Party/s	:	Mr. Tarkeshwar Nath Thakur

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 09-10-2025 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mairwa P.S. Case No. 215 of 2024 dated 04.07.2024 registered for the offences punishable under Sections 103(1), 109, 191(2), 190 and 61(2) of the B.N.S.

3. As per the prosecution case, the petitioner and the co-accused persons armed with weapons are alleged to have come to the door of the informant and pushed her husband when the informant's husband tried to run, the petitioner and the petitioner, Tribhuvan Dubey caught him and the co-accused,



Anish Dubey @ Ugrabdi inflicted a blow of *tangi* on his head due to which he fell down on the ground. On seeing, the informant's son came to rescue he was also assaulted by the co-accused, Tribhuvan Dubey by *tangi* with the intention to kill him and when the informant came to rescue, the co-accused persons assaulted him with an iron rod. Thereafter, the informant brought her husband and son to hospital where the doctor declared her husband dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a land dispute between the parties. It is further submitted that there is no specific allegation of assault against the petitioner. The petitioner has no concern with the alleged offence. The allegation against the petitioner is of assaulting Munna Dubey although, the injury of Munna Dubey is stated to be simple in nature. The specific allegation of assaulting the informant's husband is against the co-accused Anish Dube @ Ugrabadi. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 29.10.2024. Similarly situated co-accused has already been granted bail by this court vide order dated 25.02.2025 passed in Cr. Misc. No. 71106 of 2024.



5. Learned counsel for the Informant as well as learned A.P.P. for the State has opposed the bail petition of the petitioner by submitting that there is specific allegation against the petitioner of assaulting the informant's son due to which he sustained injury on the parietal region of the right side of the head.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Siwan in connection with Mairwa P.S. Case No. 215 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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