

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61860 of 2025

Arising Out of PS. Case No.-99 Year-2025 Thana- RAJPUR District- Rohtas

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Rahul Dubey Son of Late Lallan Dubey R/o Village - Mangarwalia, P.S. -
Rajpur, Dist. - Rohtas, Bihar. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Bihari Tiwary, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 126(2), 115 (2), 109, 74, 352, 351(2) of the BNS.

3. The case of the prosecution, in short, is that the petitioner allegedly assaulted the informant with a 'knife' as a result of which, the informant sustained cut injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the informant is an Up-Mukhiya and he has also filed a counter case on the same day with respect to the same occurrence. It is further submitted that the petitioner himself had received injuries in the said incident but he was arrested when he went to lodge a case. It is further submitted that a perusal of the injury



report would reveal that two of the injuries have been described as grievous in nature but they have been opined to be caused by hard and blunt substance. Thus, there is a clear contradiction, *inasmuch* as the allegation against the petitioner is of assault with '*knife*' whereas the medical evidence suggests that the injuries were caused by hard and blunt substance. Hence, the injury report does not correlate with the petitioner, as alleged in the FIR.

5. Learned APP appearing on behalf of the State fairly concedes to the submissions of the petitioner and submits that the alleged injury does not correlate with the medical evidence as reflected in the injury report.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rajpur P.S. Case No. 99 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Bikramganj/concerned Court.

(Ashok Kumar Pandey, J)

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