

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68622 of 2025

Arising Out of PS. Case No.-255 Year-2022 Thana- KALYANPUR District- East Champaran

1. Mahesh Dubey, son of Late Bhageshwar Dubey, Resident of village - Mananpur, Ps- Kalyanpur, Dist- East Champaran.
2. Babunand Dubey @ Bhuvar Dubey @ Bhuar Dubey, son of Late Sugriv Nand Dubey, Resident of village - Mananpur, PS- Kalyanpur, Dist- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Kalyanpur P.S. Case No.255 of 2022, dated-11.09.2022 registered for the offences punishable under Sections 341, 323, 324, 307, 504, 379, 34 of the Indian Penal Code.

3. As per allegation, the Petitioner and other co-accused have assaulted the son and brother of the Informant.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that similarly situated co-accused,



Vishwanath Dubey, Suresh Dubey and Ramnath Dubey have been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated. 29.04.2025 passed in Cr. Miscellaneous No. 21266 of 2025.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the fact that similarly situated co-accused have been granted bail, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Kalyanpur P.S. Case No.255 of 2022, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following



conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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