

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31995 of 2026

Arising Out of PS. Case No.-111 Year-2025 Thana- SANICHARI District- West Champaran

Pawan Dubey S/o Late Bhulan Dubey R/o Gora Bahuarwa, P.S. - Sanichari,
Distt. - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gyan Prakash
For the Opposite Party/s	:	Mr. Humayou Ahmad Khan
For the Informant	:	Mr. Abhyanand
	:	Mr. Sumit Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-05-2026 Heard Mr. Gyan Prakash, learned counsel for the petitioner, Mr. Abhyanand, learned counsel for the informant and Mr. Humayou Ahmad Khan, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 05.03.2026 in connection with Shanichari P.S. Case No. 111 of 2025 for the offences punishable under Sections 126(2), 115(2), 118(1), 109(1), 76, 303(2), 352, 351(2) and 3(5) of BNS.

3. The case of the prosecution, in brief, as stated by the informant Dipesh Kumar is that on 07.10.2025 at about 7:00 AM, his maternal uncle Shyam Thakur came to his shop and asked him to bring his maternal aunt and arrange a vehicle for her to go to Gorakhpur. After that informant took his



motorcycle, brought his aunt, and after seating her in the vehicle, while returning on the government road near his house, he and his aunt were attacked by persons who were hiding with sticks, axes, and rods. The accused were Pawan Dubey, Tarkeshwar Dubey, Dinbandhu Dubey, Uttam Dubey, Gulshan Dubey, Suman Dubey, Ujjwal Dubey, Chitranjan Dubey, and Dhanu Dubey. During the assault, accused Pawan Dubey struck Dipesh's forehead with an axe, after that accused Dinbandhu Dubey assaulted him with a stick, and accused Dhanu Dubey struck his leg with a rod, causing both him and his aunt Manju Devi to fall from the vehicle. Accused Tarkeshwar Dubey and accused Chitranjan Dubey further assaulted him with sticks. Accused Uttam Dubey snatched the chain from his neck and pulled his aunt, while accused Suman Dubey removed her mangalsutra and ear tops, took Rs. 2,000/- from her blouse, and tore the blouse. Then accused Gulshan Dubey assaulted her chest, injuring her left arm, and others hit her legs and forehead with sticks and rods. On hearing the noise, niece Suchi Kumari informed Shyam Thakur, who dialed 112. Police arrived and took the victims to Shanichari Police Station, and from there they were sent to Yogapatti Hospital for treatment. It is also stated that earlier, on 06.09.2025, accused Tarkeshwar Dubey



had attacked informant's maternal uncle Shyam Thakur with an axe, for which an application was filed at Shanichari Police Station and the axe was seized. Subsequently, the FIR was registered

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. Learned counsel for the petitioner submits that it appears from the FIR that petitioner is named in the FIR and there is specific allegation of assault against all the accused persons including the petitioner of assaulting the informant by means of farsa and the injury sustained by the informant is found to be grievous in nature. Learned counsel for the the petitioner next submits that at the spur of the moment the present occurrence has taken place and there is no intention on the part of the petitioner to kill anyone and the the co-accused persons, namely, Tarkeshwar Dubey and Dinbandhu Dubey have been granted bail by a Coordinate Bench of this Court vide order dated 15.01.2026 passed in Cr. Misc. No. 87885 of 2025 and petitioner is in custody since 05.03.2026.

5. The learned Additional Public Prosecutor for the



State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner and submit that petitioner has antecedent of four cases other than the present case but fairly submit that petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Shanichari P.S. Case No. 111 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

U		T	
---	--	---	--

