

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86806 of 2025

Arising Out of PS. Case No.-291 Year-2025 Thana- SAHEBGANJ District- Muzaffarpur

Suraj Dubey@ Suraj Dube S/o Shankar Dubey @ Shankar Dube R/o Village -
Mangurahan Tajpur, P.S - Sahebganj, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sanjay Kumar S.K., Advocate
For the Opposite Party/s :	Mr. Pawan Kumar Chaurasia, APP
For the Informant :	Mr. Ayush Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-01-2026 Heard Mr. Sanjay Kumar S.K., learned counsel for the petitioner, Mr. Ayush Kumar, learned counsel for the informant and Mr. Pawan Kumar Chaurasia, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 18.06.2025 in connection with Sessions Tr. No. 780 of 2025 arising out of Sahebganj P.S. Case No. 291 of 2025, F.I.R. dated 17.06.2025 for the offences punishable under Sections 115(2), 126(2), 118(1), 117(2), 109, 35192) and 3(5) of the BNS, 2023.

3. According to prosecution case, the informant and his brother were returning home and in the meantime, all the accused persons including this petitioner intercepted them and brutally assaulted them.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Petitioner is named in the F.I.R but from perusal of the F.I.R it appears that there is no specific allegation of assault against the petitioner rather there is general and omnibus allegation against 10 accused persons. He further submits that the brother of the informant has received two injuries where one injury is on the head and the same is simple in nature and the second injury is grievous in nature but the same is not on the vital part of the body. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Shyambabu Dubey and Kailash Dubey have been granted bail by a Co-ordinate Bench of this Court vide order dated 17.09.2025 passed in Cr. Misc. No. 67267 of 2025. The petitioner is in custody since 18.06.2025.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has participated in the present crime in question and apart from that the petitioner carries four criminal antecedents other than the present one but fairly submits that the petitioner is on bail in



all the pending matter.

6. Considering the aforesaid facts and circumstances that there is no specific allegation against the petitioner and the similarly situated co-accused persons have been granted bail by a Co-ordinate Bench of this Court, 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 ASJ-17th, Muzaffarpur in connection with Sessions Tr. No. 780 of 2025 arising out of Sahebganj P.S. Case No. 291 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)

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