

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.33579 of 2016**

Arising Out of PS.Case No. -21 Year- 2015 Thana -CHANPATIA District-  
WESTCHAMPARAN(BETTIAH)

=====

1. Sanjay Giri @ Giri Baba Son of Shri Ramehwar Giri Resident of Village-  
Englishiya, Police Station- Chautarwa, District West Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary, APP

=====

**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI**  
**ORAL ORDER**

2 18-08-2016

Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor.

It has been alleged by the informant, a police officer  
that during course of inculpatory extra judicial confessional  
statement, petitioner had disclosed that, the weapon so used during  
commission of the occurrence and for that a separate case was  
instituted relating to loot of a tempo, is kept in a wheat field  
whereupon the prosecution party went to the field and recovered  
the pistol. After opening the same, it has been found that a fired  
cartridge of .315 bore was there.

In the Fard-e-beyan, the informant had not disclosed  
the presence of other accused but from the seizure list, it is evident  
that apart from petitioner, Sanjay Giri, it contains signature of  
other co-accused namely, Irshad Alam, Ravindra Yadav and

Dhananjay Chaudhary and in the aforesaid background, the prosecution story became suspicious.

Petitioner happens to be under custody since 20.02.2015.

In the aforesaid facts and circumstances of the case, petitioner, Sanjay Giri @ Giri Baba is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Sri S.M. Afzal, Judicial Magistrate-1<sup>st</sup> Class, Bettiah, Distt-West Champaran in connection with Chanpatia PS Case No. 21/2015.

**(Aditya Kumar Trivedi, J)**

perwez

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|