

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25129 of 2017

Arising Out of PS.Case No. -236 Year- 2016 Thana -DINARA District- SASARAM (ROHTAS)

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1. Munna Giri Son of Surjballi Giri
2. Birmal Giri @ Birmol Giri, Son of Shyam Narayan Giri Both resident of Village- and P.O.- Sarna Mathia, P.S.- Dinara, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mani Madhukar, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 14-07-2017 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners are languishing in jail in a case registered for offences punishable under Sections 341, 447,, 323, 307, 379 , 354 and 34 of the Indian Penal Code and Sections 26/27 Arms Act.

The prosecution case as lodged by the informant is that there was some assault on her by her devar (petitioner No.1) by means of fists and slaps regarding electric wire and consumption of electricity and he also fired on the informant, which hit on her stomach The petitioner No. 2 was also present with petitioner No.1.

It has been submitted by the learned counsel for the



petitioners that they are innocent have no criminal history and land dispute was going on between them and they have inimical terms. It has further been submitted that no overt act has been committed by the petitioners and that charge sheet has already been submitted, hence there is no chance of tampering with the prosecution evidence.

However, learned counsel for State submits that the informant was assaulted by means of country made pistol and two injuries: one entry wound and other exit wound, were found on her person and the investigation is still going on, hence, opposes the prayer for bail.

Considering the facts and circumstances of the case and materials on record, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. ten thousand only)each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st class, Bikramganj (Rohtas) in connection with Dinara P. S. Case No. 236 of 2016, subject to the conditions that one of the bailors would be a close relative of the petitioners, who would have sufficient immovable property within the jurisdiction of the concerned Police Station/ Court, who will file an affidavit stating the geneology of his relationship with the petitioners and



petitioners will appear before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J)

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