

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2560 of 2017

Arising Out of PS.Case No. -340 Year- 2016 Thana -CHAPRA TOWN District- SARAN

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Pawan Giri, S/o Binod Giri Resident of Mohalla - Arya Nagar (Giri Tola),
P.S. Chapra Town, District - Saran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vikas Ratan Bharti, Advocate

For the Opposite Party : Mr. Arbind Kumar Pandey (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 04-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Chapra
Town P.S Case No. 340 of 2016 registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 307, 302 and
504 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused
variously armed came to the land of the informant to put boundary
wall and when protest was made, co-accused Mintu Giri fired
from his gun causing injury to the father of the informant Rabindra
Giri, as a result, he succumbed to the injuries and the petitioner
assaulted one Om Prakash Giri with lathi over his head.

Submission is of false implication and that the
petitioner is not assailant. Om Prakash Giri has received simple
injury, due to land dispute the occurrence has taken place, other



co-accused Tinku Giri @ Gaurav Giri @ Gorakh Giri and Babloo Giri have been allowed bail vide Cr. Misc. No. 53191 of 2016 by another co-ordinate Bench of this Court and, as such, the petitioner also deserve sympathetic consideration.

Learned A.P.P. fairly submits that similarly situated two co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran, in connection with Chapra Town P.S Case No. 340 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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