

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30579 of 2017

Arising Out of PS.Case No. -51 Year- 2017 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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1. Birendra Giri son of Shiv Balak Giri
2. Jitendra Giri son of Shiv Balak Giri
3. Krishna Giri son of Rajbanshi Giri
4. Harendra Giri son of Rajbanshi Giri All are residents of village - Balua,
Police Station - Nautan, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 22-08-2017 Heard both sides.

The petitioners apprehend their arrest in Nautan P.S.

Case No. 51 of 2017 registered for the offences punishable under
Section 307 and other Sections of the Indian Penal Code and under
Sections 3/4 of the Prevention of Witch Craft Practices Act.

The informant Jitendra Bharti alleged that Vijay Giri
inflicted spear blow in his abdomen. Jitendra Giri, petitioner no. 2
assaulted the informant with iron rod and the informant fell down
on the ground. Krishna Giri, petitioner no. 3 and Harendra Giri,
petitioner no. 4 are alleged to have assaulted the mother of the
informant. Vijay Giri is said to have assaulted Lal Saheb Bharti,



the cousin of the informant.

Learned counsel for the petitioners submits that Lal Saheb Bharti did not receive any injury. The mother of the informant got one injury which is superficial and simple in nature. The informant got grievous injury. The assailant of the informant is Jitendra Giri, petitioner no. 2 and Vijay Giri who is not petitioner here.

Learned APP did not dispute the facts.

Considering the facts that Jitendra Giri, petitioner no. 2 along with Vijay Giri is the assailant of the informant and the informant got grievous injury, I am not inclined to enlarge Jitendra Giri, petitioner no. 2 on anticipatory bail. Accordingly, the same is rejected.

So far as the case of Birendra Giri petitioner no. 1, Krishna Giri, petitioner no. 3 and Harendra Giri, petitioner no. 4 are concerned, they are the assailants of Lal Saheb Bharti and mother of the informant received one injury which is simple in nature, they in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate-6th, Bettiah, West Champaran in Nautan P.S. Case No. 51 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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