

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2987 of 2019**

Arising Out of PS. Case No.-133 Year-2018 Thana- THAWE District- Gopalganj

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1. Umesh Giri, Aged about 26 years (Male)
  2. Munna Giri, Aged about 24 years (Male), Both sons of Girija Giri, resident of village- Lachhawar, P.S.- Thawe, District- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Y.V. Giri, Sr. Advocate.

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      23-01-2019                      Heard learned counsel for the petitioners and learned  
counsel appearing on behalf of the State.

The petitioners are in custody in connection with Thawe P.S. Case No. 133 of 2018 registered for the offence punishable under Sections 341, 323, 302/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioner have no criminal antecedent. He further submits that alleged occurrence took place on 15.7.2018 but there is delay of two days in lodging fardbeyan. Learned counsel for the petitioners submits that that petitioners are running flower's shop in the premises of Thawe temple since last 25 years and they have been falsely implicated in this case by their rival. Informant does not claim to be eye witness of the occurrence.



She has suspected the involvement of the petitioner in commission of crime. He submits that in fact the victim was habitual drinker and then he sustained head injury in drunken condition.

Considering the fact that petitioners have no criminal antecedent and they have only earning member of family, running flower shop in the temple premises, let the petitioners named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Gopalganj in connection with Thawe P.S. Case No. 133 of 2018, subject to the condition that bailors should be either *Pujari* or *Panda* connected with Thawe Mandir.

**(Anil Kumar Upadhyay, J)**

T.Kr./-

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