

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2716 of 2019

Arising Out of PS. Case No.-96 Year-2018 Thana- SAHAJITPUR District- Saran

Pravin Giri @ Pravin Kumar Giri aged about 25 years, Gender Male, son of
Arvind Giri @ Arvind Kumar Giri, Resident of Village-Raepur Bujurg, Police
Station- Sarairanjan, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :

For the Opposite Party/s : Mr. Chakarapani, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioner. Neither
learned A.P.P., who has been entrusted with the brief, is present
nor a copy of the brief is available with the learned A.P.P.
Incharge of the court.

The petitioner is seeking anticipatory bail in
connection with Sahajitpur P.S. Case No. 96 of 2018 registered
under Sections 396 of the Indian Penal Code and also under
Sections 25(a)b, 27 of the Arms Act, pending in the court of
learned ACJM – VI, Saran at Chapra.

Learned counsel for the petitioner submits that the
name of the petitioner has transpired in the confessional
statement of the co-accused Amish Kumar who was
apprehended at the spot. It is submitted that the said Amish
Kumar has involved this petitioner in his confessional statement



due to prior enmity which will be evident from the fact that earlier a proceeding being Case No. 115/1914/2018 was initiated between one Indu Rai and the father of the co-accused. In the said proceeding father of this petitioner happened to be a witness on behalf of the first party Indu Rai. Learned counsel has placed the list of witnesses of the said case to demonstrate that Arvind Giri who is father of this petitioner is one of the witnesses in the said case.

It is further submitted that the petitioner has no criminal antecedent, he has never been involved in this case and in fact on 04.09.2018 the petitioner had met with an accident and was being treated at Primary Health Centre, Sarairanjan from where he was referred for better treatment. Medical report as contained in Annexure-3 series have been enclosed to support the contention.

Today one X-ray film has also been placed before this court by learned counsel for the petitioner in support of the medical report as contained in Annexure-3 series.

Considering the facts and circumstances of the case and the materials which have been brought on record showing prior enmity between the family of the co-accused and the family of the petitioner and the medical report, this court is



willing to grant privilege of anticipatory bail to the petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned ACJM – IV, Saran at Chapra, in connection with Sahajitpur P.S. Case No. 96/2018, subject to condition that he will report to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

Let the X-ray film produced in the court be kept on the record.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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