

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52910 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- RASULPUR District- Saran

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Guddu Giri @ Chandan Giri, Son of Satendra Giri Resident of Village -
Chapraitha, P.S.- Rashulpur, Dist.- Chapra at Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kr. Srivastava

For the Opposite Party/s : Mr.Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-11-2019 Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 504, 307 and 379/34 of the Indian Penal Code.

It is alleged by the informant that the accused persons came on the land of the informant variously armed. Co-accused Satendra Giri assaulted Shital Giri with a Dab, as a result, he became unconscious. It is further alleged that the petitioner, Guddu Giri assaulted with an axe on the head of Munnilal Giri, co-accused Dinbandhu Giri is alleged to have assaulted Ramudar Giri with Garasi and co-accused Kameshwar Giri assaulted Ankit Giri with danda and the accused persons also took away the cash amount of Rs.9,000/- from the possession of Ramudar Giri.

It is submitted by learned counsel for the petitioner



that the petitioner is alleged to have assaulted with an axe on the head of Munnilal Giri when Munnilal Giri has received lacerated injury of marginal size, simple in nature caused by hard and blunt substance. It is further submitted that considering the nature of injury not being corroborated by the medical opinion, co-accused Deen Bandhu Giri has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 02.07.2019 passed in Cr. Misc. No. 40629 of 2019. The order has been brought on record as Annexure-5. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the accusation of assault is specific against the petitioner.

Considering the fact that the accusation is not being corroborated by the medical opinion and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-X,



Saran at Chapra in connection with Rashulpur P.S. Case No. 36
of 2019, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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