

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62996 of 2019**

Arising Out of PS. Case No.-97 Year-2016 Thana- SATHI District- West Champaran

1. RAJENDRA GIRI, aged about 53 years (M), son of late Chandrika Giri  
2. Sudarshan Giri, aged about 33 years (M), son of late Chandrika Giri  
Both are resident of village, Dhaminaha, Police Station- Sathi, District, West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

3      28-11-2019                      Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 447, 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code and later on Section 302 of the Indian Penal Code was also added.

Informant has alleged in his fardbeyan that on 17.07.2016 at 3 p.m. while he was standing at his door, due to previous enmity, F.I.R. named accused Krishna Kumar Giri, Rajendra Giri and Sudarshan Giri came and started abusing him and it is further alleged that Krishna Kumar Giri inflicted a farsa blow on his head and other two accused, who are petitioners here, assaulted on his hands and Sudarshan Giri took away



Rs.5,000/- from his pocket and on alarm being raised, villagers came and accused persons fled away.

The injury report of informant has been enclosed as Annexure 2 and incised wound has been found which is stated to be simple in nature. It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. There is land dispute between the parties and for the said reason, petitioners have been falsely implicated in this case. It has further been submitted that subsequently Jagarnath Giri died on 26.08.2016 and, thereafter, informant has concocted a case that he was also injured in said incident and died, however, from reading of F.I.R., no such allegation has been made against the petitioners that in said incident, Jagarnath Giri sustained any injury.

Considering the aforesaid facts and circumstances of the case, the provisional anticipatory bail granted to the petitioner vide order dated 17.10.2019 is hereby confirmed with similar terms and conditions.

**(S. Kumar, J)**

Sanjay/-

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