

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19001 of 2022

Arising Out of PS. Case No.-519 Year-2021 Thana- MANER District- Patna

1. DEEPAK GIRI @ DEEPAK KUMAR SON OF MANTU GIRI R/O VILLAGE- SARAI, MOHALLA- GORIYA TOLI, P.S.- MANER, DISTRICT- PATNA
2. VISHAL GIRI @ VISHAL KUMAR GIRI SON OF MANTU GIRI R/O VILLAGE- SARAI MOHALLA- GORIYA TOLI, P.S.- MANER, DISTRICT- PATNA
3. MANISH GIRI @ MANISH KUMAR SON OF MANTU GIRI R/O VILLAGE- SARAI MOHALLA- GORIYA TOLI, P.S.- MANER, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Roona, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-09-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 307, 323, 325, 341, 354 and 34 of the Indian Penal Code.

The informant alleges that on 22.07.2021 at 7:00 pm all the three petitioners came to his house variously armed and assaulted due to which three people including the informant were injured, it is next alleged that cause of occurrence is a past dispute, it is next alleged the petitioner no. 1 came in an



intoxicated condition at the informant's door and started abusing and when informant's Aunt opposed, petitioner no. 1 assaulted his Aunt with *lathi* and when the family members intervened to rescue her, then all the petitioners assaulted them too.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the FIR it would manifest that allegation of assault is general and omnibus in nature, even the injuries are simple and are on non-vital part of the body, it is further submitted that informant does not disclose in the FIR that as to what was the past dispute based on which the present occurrence took place which creates doubt with regard to the veracity of the allegation. It is next submitted that from the side of the petitioners Maner P.S. Case No. 518 of 2021 was instituted as such the present case is a counter blast to the same.

Learned A.P.P. for the State and the learned counsel for the informant oppose the prayer for anticipatory bail of the petitioners but are not able to rebut the submission of learned counsel for the petitioner that from the side of the petitioner Maner P.S. Case No. 518 of 2021 was instituted as such the



present case is a counter blast.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Maner P.S. Case No. 519 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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