

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28938 of 2021**

Arising Out of PS. Case No.-947 Year-2020 Thana- MADHAURAH District- Saran

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1. LAL BABU GIRI Son of Late Sunder Giri Resident of Village - Bahuara Pattee, P.S.- Madhaura, District - Saran at Chapra.
  2. Kanhaiya Giri Son of Late Sunder Giri Resident of Village - Bahuara Pattee, P.S.- Madhaura, District - Saran at Chapra.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Nawal Kishore Singh  
For the Opposite Party/s : Mr. Shailendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

2      29-01-2022                      Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as learned APP for the State through video conferencing.

At the outset, learned counsel for the petitioner seeks permission to withdraw the anticipatory bail petition on behalf of the petitioner No. 2, Kanhaiya Giri.

Permission is granted.

Accordingly, the anticipatory bail petition with regard to petitioner No. 2 is dismissed as withdrawn.



The petitioner No. 1 apprehends his arrest in connection with Madhaura P.S. Case No. 947 of 2020, registered for the offences punishable under Sections 448, 341, 323, 324, 307, 504 & 379/34 of the Indian Penal Code.

As per allegation, the accused persons named in the FIR entered into house of the informant Chinta Devi and they badly assaulted her mother. They also took away some ornaments and clothes from the house. It is further alleged that when the informant Chinta Devi asked the accused persons as to why they abused her mother all the accused persons assaulted her with *daab* which hit on her head. The allegation against petitioner No. 1 is that he inflicted blow with *danda* on her back and right hand.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case due to land dispute between the parties. He has also submitted that two accused persons have been granted regular bail by the court below.

There is allegation against the accused persons that they inflicted repeated blow and there is specific allegation on the present petitioner that he inflicted *lathi* blow on the back and right hand of the informant and the injury on the person of the



informant was found grievous. As such, the petitioner No. 1 is not entitled for benefit of anticipatory bail.

Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

**(Nawneet Kumar Pandey , J)**

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