

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51209 of 2021

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

KANHAIYA GIRI S/o LATE SUNDAR GIRI R/o VILLAGE-BAHUWARA
PATTI, P.S- MADHAURA, DISTRICT-SARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Bhaskar, Advocate

For the Opposite Party/s : Mr. J.N. Thakur, APP .

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-01-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Madhaura P.S. Case No. 947 of 2020 for the offence registered
under Sections 448, 341, 323, 324, 307, 504, 379 and 34 of the
Indian Penal Code.

The allegation is regarding the accused persons
including the petitioner having snatched ornaments and cash
amount of Rs. 1200/- from the mother of the informant and
when the informant had gone to the house of the accused
persons and asked as to why they had abused her mother, the
informant was also assaulted by the co-accused person namely
Lalbabu Giri and as far as the petitioner is concerned, he is
alleged to have snatched a gold chain from the neck of the



informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 31.03.2021. The learned counsel for the petitioner has further submitted that the injury sustained by the informant is attributable to the co-accused person and the petitioner has not been alleged to have engaged in any sort of overt act. It is also submitted that a co-accused person has already been granted bail by this Court vide order dated 10.01.2022 passed in Criminal Misc. No. 42566 of 2021.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is not alleged to have engaged in any sort of overt act, is languishing in custody since 31.03.2021 and he is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed



to be released on bail on furnishing bail bond of Rs. 10,000/-
(Ten Thousand) with two sureties of the like amount each to the
satisfaction of learned Chief Judicial Magistrate, Saran at
Chapra in connection with Madhaura P.S. Case No. 947 of 2020.

(Mohit Kumar Shah, J)

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