

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48904 of 2022

Arising Out of PS. Case No.-10 Year-2018 Thana- KHUDWA District- Aurangabad

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Ravikant Giri @ Ravikant Kumar Son Of Bindeshwar Giri Resident Of
Village - Khudwan Tola @ Khudwa Tola, Shawan Dihuri, P.S.- Khudwan,
District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rupa Kumari, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 341, 323,
325, 308, 379, 504, 34 of I.P.C.

According to prosecution case, in brief, is that the
informant was intercepted and attacked by the accused persons
including the petitioners. It is further alleged that accused Shanti
Devi pelted stone over Vikash Kumar and caused head injury to
him and accused Ramniwas Sharma sustained injury on his left
hand. Accused Vinay Giri took away mobile phone and Rs.
1000/- from the pocket of Vikash Kumar.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that there is case and counter case between the parties and there is land dispute between them. He further submits that it appears from the F.I.R. that the accusation of assault against the co-accused persons namely, Shanti Devi and Binay Giri. He further submits that there is no specific allegation of any assault or overt-act against the petitioner. He further submits that similarly situated, co-accused persons, namely, Bindeshwar Giri, Uday Kumari Giri, Binay Kumar Giri and Bijendra Giri have been granted anticipatory bail by this Court vide order dated 11.11.2022 passed in Cr. Misc. No. 42636 of 2022. The case of the petitioner is of similar footing.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Khuwdan P.S. Case No. 10 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-



1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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