

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64764 of 2021

Arising Out of PS. Case No.-449 Year-2020 Thana- DARIYAPUR District- Saran

1. RANJAY GIRI Son of Jai Kanti Giri Resident of Village- Math Kakra, P.S.-
Dariapur, District- Saran
2. Ajay Giri Son of Jai Kanti Giri Resident of Village- Math Kakra, P.S.-
Dariapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-03-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in a case registered for the offences punishable under Sections 341, 323, 307, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner are in custody since 01.06.2021 and chargesheet has been submitted. Petitioners are persons with clean antecedent.

Learned counsel for the petitioners submits that the informant alleges that the petitioners alongwith other named accused persons came to the house of the informant and started abusing and said that informant have instituted Dariapur P.S.



Case No. 281 of 2020 and thus asked the informant to withdraw the said case or her family members would be killed. On protest, petitioners assaulted the informant on the head by sword causing injury. Ajay Giri assaulted Ujjwal Giri on his head and finger by sword causing injury. Umesh Giri was assaulted by Ajit Giri by knife causing injury on finger and Jaikant Giri assaulted Umesh Giri by Lathi on his hand.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is further submitted that petitioners and the informant are agnets and dispute is going on between the parties. It is also submitted that the injuries caused on the informant was by hard and blunt substance and the opinion has been kept reserved. Further, the police have investigated the case and submitted chargesheet dated 19.08.2021 (under Section 341, 323, 325, 504 and 34 of the Indian Penal Code). Learned counsel for the petitioners, thus, submits that no offence under Section 307 was made out in view of the investigation made by the police.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the fact that the petitioners are in custody since 01.06.2021, the petitioners are persons with clean



antecedent and the chargesheet has been submitted in the case under Section 325 and other Sections of the Indian Penal Code excluding Section 307, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Dariyapur P.S. Case No. 449 of 2020.

(Satyavrat Verma, J)

Ankit/-

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