

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18367 of 2023

Arising Out of PS. Case No.-220 Year-2022 Thana- PATAHI District- East Champaran

1. MADAN GIRI S/O LATE RUPA GIRI Resident of Village- Kodariya, P.S.- Patahi, District- East Champaran.
2. UMESH GIRI S/O LATE RUPA GIRI Resident of Village- Kodariya, P.S.- Patahi, District- East Champaran.
3. ANAND MOHAN GIRI S/O MADAN GIRI Resident of Village- Kodariya, P.S.- Patahi, District- East Champaran.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Suman Kumar Singh, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners, in the present case, are seeking pre-arrest bail in connection with Patahi P.S. Case No. 220/2022, G.R. No. 6524/2022 registered for the offences punishable under Sections 341, 323, 307, 354, 379, 504, 506/34 of the Indian Penal Code. They have no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that on 25.10.2022 at about 8:00 A.M. all the accused persons armed with knife, lathi and katta came at his door and assaulted him. On hearing hulla, the brother and mother of the



informant came to save her, they were also assaulted by the accused persons as a result of which they sustained injuries.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Learned counsel submits that there is case and counter case between the parties with respect to the alleged occurrence.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case, there being case and counter case between the parties with respect to the alleged occurrence and the injuries allegedly caused to the brother of the informant are simple in nature, this Court, therefore, directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate Incharge, East Champaran, Motihari in connection with Patahi P.S. Case No. 220/2022, G.R. No. 6524/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify



the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajeev Ranjan Prasad, J)

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