

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30840 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- NAWANAGAR District- Buxar

1. Chandra Bhusan Giri Son Of Tagnarayan Giri Resident Of Village- Waina Ps- Navanagar, Distt- Buxar
2. Chandan Giri Son Of Devnarayan Giri Resident Of Village- Waina Ps- Navanagar, Distt- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. Learned counsel for the petitioners, at the outset,
seeks permission to withdraw the present anticipatory bail
application with respect to petitioner no.2.

3. Permission is accorded.

4. Accordingly, the present anticipatory bail
application with respect to petitioner no.2 is dismissed as
withdrawn.

5. The petitioner no.1 apprehends his arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 341, 323, 324, 307 and 504 of the Indian Penal Code.



6. Learned counsel for the petitioner submits that the petitioner is aged about 66 years, he is a person with clean antecedent and the informant alleges that Anil Giri called his son Rajesh to his house for returning an amount of Rs. 20,000/-, thereafter when Rajesh reached his house, he was asked to depose in favour of his sons who were implicated in a case under the SC/ST Act, but Rajesh refused when Vikash and Vishal assaulted him by *gadasa* causing injury on head, thereafter Shivam and Chandan assaulted him by a spade causing injury, thereafter accused persons along with ten unknown assaulted him by *lathi-danda* and thereafter the villagers took him to hospital.

7. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that from perusal of the allegations as alleged in the FIR it would manifest that no specific allegation of assault is alleged against the petitioner.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

9. Considering the submissions made by the learned counsel for the petitioner, the petitioner no.1, in the event of his arrest or surrender before the learned Court below within a



period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) 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 Navanagar P.S. Case No. 33 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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