

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62382 of 2023

Arising Out of PS. Case No.-364 Year-2022 Thana- CHAPRA TOWN District- Saran

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ARBIND GIRI @ JITU GIRI S/O UPENDRA GIRI R/O MOHALLA- ARYA
NAGAR, GIRI TOLA, KATHARI BAGH, P.S- CHAPRA TOWN, DISTT.-
SARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Harshvardhan

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 11-10-2023 1. Heard learned counsel for the petitioner and the
State.
2. Petitioner apprehends arrest in a case registered
for the offences punishable under Sections 302, 328, 201, 34 of
the Indian Penal Code.
3. As per prosecution case, all the accused persons
including this petitioner took away the husband of the informant
from his house and later on, his dead-body was found lying near
a temple. The informant suspects that all F.I.R. named accused
persons committed the murder of her husband by poisoning.
4. It is submitted on behalf of petitioner that



informant is not eye-witness to the occurrence and petitioner has been made accused in this case only on suspicion. As a matter of fact, this petitioner had filed Chapra Town P.S. Case No. 340 of 2016 against father- in-law and Devar of the informant for committing the murder of his father and only with a view to put pressure on the petitioner, he has been dragged in the present case. In fact, husband of the informant was drunker and suffering from Epilepsy and deceased might have died due to that illness, but taking advantage of the same, this false and concocted case has been lodged against petitioner and others. In the post mortem report, no external injury was found and in the F.S.L. report, Ethyl Alcohol along with Methyl Alcohol was found in the body of the deceased. Petitioner claims clean antecedent and similarly situated co-accused namely Dhiraj Giri @ Dhiraj Kumar Giri has been granted bail by this court vide Cr. Misc. No. 75237 of 2022 dated 05.07.2023.

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

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six



weeks from today, be enlarged 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 C.J.M., Saran at Chapra/concerned court below in connection with Chapra Town P.S. Case No. 364 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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