

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77533 of 2023

Arising Out of PS. Case No.-219 Year-2020 Thana- DUMARIAGHAT District- East
Champaran

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1. ROOPESH GIRI @ PRABHAT KUMAR GIRI @ PRABHAT GIRI S/O GANESH GIRI RESIDENT OF VILLAGE - RAMPUR KHAJURIYA, P.S.- DUMARIYAGHAT, DISTRICT - EAST CHAMPARAN
 2. MANIKANT KUMAR @ MANI KANT GIRI SON OF RAVINDRA GIRI RESIDENT OF VILLAGE - RAMPUR KHAJURIYA, P.S.- DUMARIYAGHAT, DISTRICT - EAST CHAMPARAN
 3. SANT KUMAR GIRI @ SANT KUMAR SON OF RAVINDRA GIRI RESIDENT OF VILLAGE - RAMPUR KHAJURIYA, P.S.- DUMARIYAGHAT, DISTRICT - EAST CHAMPARAN
 4. RAUSHAN KUMAR GIRI @ RAUSHAN KUMAR @ RAUSHAN LAL SON OF SHYAMAKANT GIRI RESIDENT OF VILLAGE - RAMPUR KHAJURIYA, P.S.- DUMARIYAGHAT, DISTRICT - EAST CHAMPARAN
 5. AJAY GIRI SON OF JAGAT GIRI @ JAGAT NARAYAN GIRI RESIDENT OF VILLAGE - RAMPUR KHAJURIYA, P.S.- DUMARIYAGHAT, DISTRICT - EAST CHAMPARAN
 6. JAGAT GIRI @ JAGAT NARAYAN GIRI SON OF LATE TENGAR GIRI RESIDENT OF VILLAGE - RAMPUR KHAJURIYA, P.S.- DUMARIYAGHAT, DISTRICT - EAST CHAMPARAN
 7. VIVEK KUMAR GIRI @ VIVEK KUMAR @ MOTI SON OF SHYAMA KANT GIRI RESIDENT OF VILLAGE - RAMPUR KHAJURIYA, P.S.- DUMARIYAGHAT, DISTRICT - EAST CHAMPARAN
 8. PRINCE KUMAR SON OF BISHWANATH GIRI RESIDENT OF VILLAGE - RAMPUR KHAJURIYA, P.S.- DUMARIYAGHAT, DISTRICT - EAST CHAMPARAN
 9. JAY NATH GIRI SON OF LATE TEJ NARAYAN GIRI RESIDENT OF VILLAGE - RAMPUR KHAJURIYA, P.S.- DUMARIYAGHAT, DISTRICT - EAST CHAMPARAN
 10. GANESH GIRI SON OF BHAYANKAR GIRI RESIDENT OF VILLAGE - RAMPUR KHAJURIYA, P.S.- DUMARIYAGHAT, DISTRICT - EAST CHAMPARAN
 11. BINOD GIRI SON OF SI NAYARAN GIRI RESIDENT OF VILLAGE - RAMPUR KHAJURIYA, P.S.- DUMARIYAGHAT, DISTRICT - EAST CHAMPARAN
 12. BRIJESH GIRI @ BIGESHWAR GIRI SON OF SRI NARAYAN GIRI RESIDENT OF VILLAGE - RAMPUR KHAJURIYA, P.S.- DUMARIYAGHAT, DISTRICT - EAST CHAMPARAN
 13. SANDEEP GIRI @ SANDEEP KUMAR GIRI SON OF SRI NARAYAN GIRI RESIDENT OF VILLAGE - RAMPUR KHAJURIYA, P.S.- DUMARIYAGHAT, DISTRICT - EAST CHAMPARAN
 14. BISHWANATH GIRI SON OF LATE TEJ NARAYAN GIRI RESIDENT



OF VILLAGE - RAMPUR KHAJURIYA, P.S.- DUMARIYAGHAT,
DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 506, 385 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioners, armed with deadly weapons, came to the informant and assaulted him and his neighbours. Co-accused Ratnesh Giri gave *farsa* blow on the informant's head due to which he sustained injury. Petitioner no.1 snatched golden chain worth Rs. 50,000/- from the possession of informant and petitioner no.2 took Rs. 25,000/- from his pocket.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place.



Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is allegation of assault against other co-accused. There is money related dispute between the parties. There is case and counter case between them. Some of the petitioners have criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Dumariya P.S. Case No. 219 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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