

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65626 of 2024**

Arising Out of PS. Case No.-127 Year-2024 Thana- DUMARIAGHAT District- East  
Champaran

- 
1. Ranjan Giri S/o Vijay Giri R/o Village- Dhangarha, PS- Dumariyaghat, District- Motihari East Champaran
  2. Vijay Giri S/o Late Ramjanm Giri R/o Village- Dhangarha, PS- Dumariyaghat, District- Motihari East Champaran
  3. Bittu Giri S/o Vijay Giri R/o Village- Dhangarha, PS- Dumariyaghat, District- Motihari East Champaran
  4. Sumit Giri @ Sumit Kumar S/o Subhash Giri R/o Village- Dhangarha, PS- Dumariyaghat, District- Motihari East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate  
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

---

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      01-10-2024                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with  
Dumariyaghat P.S. Case No. 127 of 2024 dated 19.06.2024  
instituted for the offence punishable under Sections 341, 323, 324,  
307, 504/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged  
date and time of occurrence, the petitioner no. 1 called the  
informant to his house. At 1.30 pm, when the informant reached in  
the village, all the petitioners surrounded the informant and started



abusing him. On protest made by the informant, the petitioner no. 2 ordered to kill the informant. Thereafter, petitioner no. 4 caught the informant and petitioner nos. 1 & 3 assaulted the informant by means of *farsa* and axe, due to which the informant sustained injury in his head. It is also alleged that they have also assaulted the father of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is specific allegation against petitioner nos. 1 & 3 who assaulted the informant by means of *farsa* and axe on his head, but the injury report reveals that the nature of injury is simple in nature caused by hard and blunt substances. There is no allegation of assault against the petitioner nos. 2 & 4. Learned counsel for the petitioners submits that petitioner nos. 1 & 3 are sons of petitioner no. 2 and the petitioner no. 4 is nephew of petitioner no. 2. Learned counsel for the petitioner further submits that all family members of the petitioners have been made accused in this said case. There is a case and counter case between the parties. Counter case bearing Dumariyaghat P.S. Case No. 128 of 2024 has also been lodged by the petitioners' side against the informant and his family members. Both the sides are agnates. Lastly, it has been submitted that petitioners have no criminal antecedents..



5. On the other hand, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioners. Learned counsel for the informant submits that there is specific allegation of assault against the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Dumariyaghat P.S. Case No. 127 of 2024, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, at Motihari, District- East Champaran subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Khatim Reza, J)**

premchand/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

