

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77101 of 2023

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

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1. RAVINDRA GIRI Son of Chandika Giri R/o vill - Rampur, Khajuriya, P.s. - Dumaiyaghat, Distt. - East Champaran
 2. Sonu Kumar Son of Ravindra Giri R/o vill - Rampur, Khajuriya, P.s. - Dumaiyaghat, Distt. - East Champaran
 3. Rajiv Kumar Son of Shyama Kant Giri R/o vill - Rampur, Khajuriya, P.s. - Dumaiyaghat, Distt. - East Champaran
 4. Satrudhan Giri Son of Chandrika Giri R/o vill - Rampur, Khajuriya, P.s. - Dumaiyaghat, Distt. - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar
For the Opposite Party/s : Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-03-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State along with learned counsel for the O.P. No.2.

2. The learned counsel for the petitioners at the outset seeks permission to withdraw the anticipatory bail application with respect to petitioner no.3, namely, Rajiv Kumar.

3. Permission is accorded.

4. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504, 506 and 385 of the Indian



Penal Code.

3. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the instant case. It is also submitted that the petitioner no.1 and 4 have antecedent of three cases but they are acquitted in all the three cases, while petitioner no.2 is a person with clean antecedent. It is further submitted that though with respect to petitioner no.1 and 4, it is alleged that they assaulted the injured by knife causing injury but then from perusal of the injury report, it would manifest that the injury is simple in nature caused by hard and blunt substance. It is thus submitted that in order to give serious colour to the case, the informant falsely implicated the petitioner no.1 and 4 with an allegation that they assaulted with knife. It is further submitted that as far as petitioner no.2 Sonu Kumar is concerned the allegation against him is general and omnibus in nature.

4. Learned A.P.P. for the State along with learned counsel for the O.P. No.2 opposes the prayer for anticipatory bail of the petitioners but then are not in a position to rebut the submission made on behalf of the learned counsel for the petitioners that the injury caused to the injured, who are alleged to have been assaulted by petitioner no.1 and 4 is caused by



hard and blunt substance and the injury is simple in nature.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Dumariya Ghat P.S. Case No.219/2020, G.R. No.8607/2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. The learned counsel for the petitioners seeks permission to make rectification in the description of the petitioner no.2.

7. Permission is accorded.

(Satyavrat Verma, J)

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