

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85859 of 2023

Arising Out of PS. Case No.-312 Year-2023 Thana- BIDUPUR District- Vaishali

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1. Sanjit Giri S/O Manoj Giri Resident of Village- Raghapur Chaturag, P.S. Bidupur, District- Vaishali.
 2. Vishwajit Giri @ Bishwajeet Giri Son of Manoj Giri Resident of Village- Raghapur Chaturag, P.S. Bidupur, District- Vaishali.
 3. Kushum Devi Wife of Manoj Giri Resident of Village- Raghapur Chaturag, P.S. Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. In the present case, the petitioners are apprehending arrest in connection with Bidupur P.S. Case No. 312 of 2023, registered on 30.05.2023 for the offences under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioners and other co-accused persons assaulted the informant and his family members with farsa, lathi and danda and tore the blouse of the mother of the informant.



4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Allegation of giving farsa blow on the head of the informant is against co-accused Amit Kumar. Allegation of tearing blouse against petitioner no.2 is false and concocted. The occurrence took place in the background of dispute over Nal-Jal scheme in which pipes were destroyed. The petitioners and the informant's side are agnates. Learned counsel further submits that the present case is counter blast to Bidupur P.S. Case No. 313 of 2023, which has been lodged by co-accused Amit Giri against the informant's side. Learned counsel further submits that learned Sessions Judge, while rejecting the prayer for bail, has observed that other co-accused persons have been granted regular bail. The petitioners are having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case between the parties and possibility of false implication of the petitioners, let the petitioners above named, in the event of arrest or surrender before the court



concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of ₹10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur/concerned court in connection with Bidupur P.S. Case No. 312 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Amrendra/-

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