

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83511 of 2023

Arising Out of PS. Case No.-7 Year-2023 Thana- MAKER District- Saran

1. Arun Giri S/O Sita Ram Giri R/O Village- Mahesh Chapra, P.S- Maker, Distt.- Saran.
2. Tooffan Giri @ Arvind Kumar @ Toofan Kumar S/O Arun Giri R/O Village- Mahesh Chapra, P.S- Maker, Distt.- Saran.
3. Kundan Giri @ Kundan Kumar Giri S/O Arun Giri R/O Village- Mahesh Chapra, P.S- Maker, Distt.- Saran.
4. Anjay Rai @ Ajay Ray S/O Mohan Ray R/O Village- Mahesh Chapra, P.S- Maker, Distt.- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mirityunjay Kumar, Adv.
For the Opposite Party/s	:	Mr. Vinod Shanker Modi, APP.
For the Informant	:	Mr. Udai Shankar, Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioners, learned A.P.P.
for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 307, 452 and 302 of the Indian Penal Code.

3. The prosecution case, in short, is that on 11.04.2022, a panchyati was convened at 10:00 for the land dispute between the informant and his pattidar, Arun Giri (petitioner no.1) but the petitioner refuse to obey the decision of panchayati and threatened him to teach lesson. On the same day the petitioners



along with 15-20 unknown persons armed with deadly weapons came at the door of the informant and assaulted the informant and his family members they got severely injured thereafter, they looted some ornaments and Rs. 1,50,000/- cash. It is further alleged that Arun Giri, petitioner no.1 forcibly took thumb impression on 3-4 blank papers of the informant.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence as alleged. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. There is no specific overt act against the petitioners. The postmortem report has not supported the prosecution case. Petitioner nos. 1 to 3 have one criminal antecedent and petitioner no. 4 has two criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State and learned counsel for the informant vehemently opposed the prayer for bail of the petitioners.

6. Having regard to the facts and circumstances of the case, 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 Maker P.S. Case No. 7 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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