

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3443 of 2024

Arising Out of PS. Case No.-566 Year-2023 Thana- MUFFASIL District- West Champaran

Shyam Sundar Giri S/o Ramakanth Giri R/o Village- Parsa Giri Tola, P.S.
Bettiah Muffasil (Manuapool O.P.) District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Bettiah Muffasil (Manuapool O.P.) P.S. Case No. 566 of 2023, registered on 27.08.2023 for the offences under Sections 147, 148, 149, 341, 323, 353, 332, 333, 504, 506 of the Indian Penal Code.

3. As per prosecution case, in a dispute between husband and wife when the police intervened, the petitioner and other co-accused persons stated to be the co-villagers of the husband, surrounded the police party and hurled abuses. Thereafter, they started pelting stones. The police party fled away from the spot.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. The informant wanted to extort money from the family members of Mukesh Giri, the husband said to be scuffling with his wife and the villagers protested the police atrocity. Aggrieved by the act of the villagers, the petitioner and other co-villagers have been made accused in this case. Learned counsel further submits that the allegations are completely vague and though there is allegation of pelting stones and assaulting the police party, no person has received any injury. The petitioner has got no criminal antecedent.

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

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-specific nature of allegation without any serious overt act on part of the petitioner and further considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West



Champaran/concerned court in connection with Bettiah Muffasil
(Manuapool O.P.) P.S. Case No. 566 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)

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