

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10662 of 2025

Arising Out of PS. Case No.-378 Year-2024 Thana- MANJHI District- Saran

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Awdhesh Giri @ Adesh Giri Son of Late Ramadhar Giri Resident of Village -
Mubarakpur, Bagahi Tola, P.S. - Manjhi, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 12-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Manjhi P.S. Case No. 378 of 2024 for the offence under sections 115(2), 126(2), 303(2), 109, 352, 3(5) of the B.N.S. lodged on 27.11.2024 by the informant, Deepak Tiwari.

3. As per the prosecution story, the informant alleged that on 27.11.2024 the accused come to the house of the informant and asked about Nitesh Kumar, upon showing ignorance, allegation is of assault and snatching of the gold chain/mobile phone . This led to the FIR.

4. Learned counsel for the petitioner submits that there is omnibus allegation against the petitioner, he is 75 years old having no criminal antecedent. The injury has been found to



be simple in nature and without accepting the allegation and/or the outcome of the present case, the petitioner intends to contribute Rs.5,000/- to the informant, Deepak Tiwari.

5. Learned APP opposes the prayer submitting that he was in an inebriated condition and assaulted by bricks.

6. Taking into account the submissions of the parties as also that the age of the petitioner coupled with the fact that he has no criminal antecedent and the injury has been found to be simple in nature, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions, subject to the payment of Rs.5,000/- to the informant, Deepak Tiwari, by way of Demand draft issued by the local State Bank of India through the Trial Court after checking his credential.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate XI, Saran at Chapra, in connection with Manjhi P.S. Case No.378 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

anand/-

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