

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13467 of 2025

Arising Out of PS. Case No.-225 Year-2024 Thana- NATWAR District- Rohtas

1. Kameshwar Giri Son of Sheoadhar Giri Resident of Village - Kishunpura Mathiya, P.S. - Natwar, District - Rohtas
2. Rajesh Giri Son of Sheoadhar Giri Resident of Village - Kishunpura Mathiya, P.S. - Natwar, District - Rohtas
3. Raju Giri Son of Sheoadhar Giri Resident of Village - Kishunpura Mathiya, P.S. - Natwar, District - Rohtas
4. Chandradeep Giri Son of Late Dudhnath Giri Resident of Village - Kishunpura Mathiya, P.S. - Natwar, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Pandey, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2025 Heard Learned Counsel for the petitioners and

Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Natwar P.S. Case No. 225 of 2024, lodged on 15.11.2024, under Sections 189(2)/127(1)/ 115(2) /118(1) /109 / 352 of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against



seven named accused persons including the present petitioners against whom there is allegation of assault to the informant.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that both petitioners and informant side are agnate and for a land dispute the scuffling took place between the parties. Counsel submits that the present case has been instituted on 15.11.2025 but for the same date and place of occurrence another case has been filed by the petitioners' side, which is Annexure-2. Counsel further submits that from bare perusal of both the FIRs, it become clear that informant of the present case is accused No.1 in the second case (Annexure-2). He submits that allegation is only against Raju Giri, which is of simple in nature whereas against others there is no allegation. He submits that the present case has been filed with a view to save the skin from the case filed by the petitioners' side. Counsel submits that there is one antecedent of the petitioners in which all are on bail.

5. Learned Counsel for the State opposes the prayer for bail and submits that there is specific allegation against one of the accused persons.

6. In this view of the matter, let the above named petitioner Nos. 1, 2 and 4 be released on anticipatory bail, in the



event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Additional Chief Judicial Magistrate-I, Bikramganj, Rohtas, in connection with Natwar P.S. Case No. 225 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. Considering the direct allegation of assault against petitioner No.3, his prayer for anticipatory bail is hereby rejected. However, in the event of surrender of the petitioner within four weeks from today, the prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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