

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21742 of 2025

Arising Out of PS. Case No.-222 Year-2024 Thana- MALI District- Aurangabad

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Satyajit Giri @ Satyajeet Giri @ Babu Satya S/o Sri Radheshyam Giri R/o
vill - Khambha, P.s.- Mali, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mahesh Nr. Prasad, Sr. Adv. Mr. Ved Prakash Srivastava, adv.
For the Informant	:	Mr. Krishna Pd. Singh, Adv.
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

6 30-07-2025 Heard learned counsel for the petitioner, learned
senior counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Mali
P.S. Case No. 222 of 2024 (GR No. 3848 of 2024) dated
01.12.2024 registered for the offences punishable under
Sections 103(1), 61(2) read with Section 3(5) of the I.P.C. and
Section 27 of the Arms Act.

3. As per the prosecution case, on 30.11.2024 at about
4.30 P.M., the informant alongwith his father, namely, Sanjay
Kumar Singh, was going on a four wheeler vehicle and at about
6.15 P.M., they reached near at Sonaura Pool, three persons
riding on a motorcycle came there and asked from his father



about 'what happened ?'. In the meantime, three persons riding on a Apache Motorcycle also came there and the pillion rider opened fire on the head of the informant's father leading to his death on the spot. In the light of vehicle's indicator, the informant identified the persons who opened fire on his father as Rakesh Giri and Mantu Yadav who is sitting with him and the persons who were sitting on another motorcycle as Kamlesh Mehta and Sanjay Giri. The drivers of both the motorcycles were wearing Helmet as such they could not be identified. Rakesh Giri said the informant that 'Bole The N Khoon Ka Aashu Rone Hoga.' then the informant in order to save his life ran away towards a paddy field after opening the door of the vehicle and the accused persons opened fire thrice on him.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up during the course of the investigation. It is submitted that there is no allegation of firing against the petitioner on the deceased and from perusal of the F.I.R., it appears that the specific allegation of firing on the deceased is against the co-accused persons Rakesh Giri and Mantu Yadav. There is no other substantive evidence to suggest



the implication of the petitioner in the present case. It is further submitted that the petitioner was not present on the alleged date and time of occurrence. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 09.12.2024. Similarly situated co-accused has already been granted bail by this court vide order dated 16.07.2025 passed in Cr. Misc. No. 15961 of 2025.

5. Learned A.P.P. for the State and learned senior counsel for the informant have vehemently opposed the bail petition of the petitioner. Learned senior counsel for the informant has referred to paragraph no. 124 of the case diary and has further submitted that the motorcycle of the co-accused used in the alleged offence was recovered from the house of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Aurangabad in connection with Mali P.S. Case No. 222 of 2024 with further condition:-



(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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