

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30302 of 2025

Arising Out of PS. Case No.-177 Year-2024 Thana- HARSIDHI District- East Champaran

Dhananjay Giri @ Pradeep Giri S/o Harendra Giri Resident of village- Giri
Tola, Bhada, PS- Harsidhi, District- East Champaran Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh, Adv.

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 09-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Harsidhi P.S. Case No. 177 of 2024 instituted for the offence
under Sections 302 & 34 of the Indian Penal Code.

3. The petitioner has earlier moved before this Court with
a prayer for anticipatory bail which was rejected vide order
dated 10.01.2025 passed in Cr. Misc. No. 84204 of 2024.

4. Prosecution case in short is that co-accused persons
including the petitioner threatened the informant that they would
kill the husband of the informant and subsequently, when her
husband went to the graveyard for prayer, co-accused persons
including the petitioner have committed murder of the



informant.

5. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05-02-2025. Petitioner bears six criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

6. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case due to malice intention and on the basis of suspicion. The petitioner was neither present at the alleged place of occurrence nor anything incriminating has been recovered from his possession. Except suspicion, there is nothing adverse against the petitioner in the entire record of the case. Learned counsel next submits that there is no eye witness to the occurrence and no cogent material has come forward during the course of investigation against the petitioner. Even the Informant is not the eye-witness in this case. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. It is lastly submitted that charge sheet has been submitted in this case. He further submits that the co-accused Abhinandan Kumar has already been granted bail by this Court vide order dated 25.09.2024 passed in Cr. Misc. No. 44970 of 2024.



7. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to paragraph Nos. 8 & 9 of the case diary, it is submitted that witnesses have supported the prosecution case. He further submits that the co-accused Abhinandan Kumar in his confessional statement has confessed his own involvement and has also taken the name of the petitioner to be involved in the commission of murder of the husband of the Informant.

8. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no cogent material against the petitioner in the case diary and charge sheet being submitted as also the prayer for bail being based on parity, this Court is inclined to grant bail to the petitioner.

9. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Harsidhi P.S. Case No. 177 of 2024, subject to the following conditions:

(i) One of the bailors shall be own/close member of the family of the petitioner.



(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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