

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30535 of 2025

Arising Out of PS. Case No.-535 Year-2023 Thana- ROSERA District- Samastipur

Krishna Kumar Giri @ Krishn Kumar Giri @ Krishan Kumar Giri son of
Kapileshwar Giri @ kapil Giri Village- Rosera Mohalla Mahadev Math,
Under Town Ward No.12, P.S- Rosera, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with
Rosera P.S Case No. 535 of 2023 registered for the offences
punishable under Sections 341, 323, 324, 354, 307, 379, 504/34
of the Indian Penal Code.

3. As per allegation in the FIR, petitioner along with
other co-accused persons came at door of the informant and they
started abusing and when the informant protested, thereafter, all
accused persons started to assault the informant.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that one land dispute were going on between them. He



further submits that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons. He further submits that petitioner was enlarged on anticipatory bail by this Hon'ble Court vide order dated 17.02.2024 passed in Cr. Misc. No. 6772 of 2024 with condition that "*the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner.*" During trial, Court below has found that petitioner possess one criminal antecedent, therefore, bail bond of the petitioner has cancellation forthwith. It is also submitted that petitioner is in judicial custody since 07.02.2025 having one antecedent mentioned in para-3 of the bail petitioner.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order dated 28.03.2025, it appears that there is general and omnibus allegation against the petitioner and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the



above named 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 learned Additional District and Sessions Judge-I, Rosera in connection with Rosera P.S Case No. 535 of 2023.

(Ramesh Chand Malviya, J)

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