

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33092 of 2025

Arising Out of PS. Case No.-283 Year-2024 Thana- GOPALPUR District- Gopalganj

Satendra Giri S/O Shree Ram Giri R/O Village-Bodha Chhapar, P. S -
Gopalpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv
For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 27-05-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gopalpur P.S. Case No. 283 of 2024 registered for the offences punishable u/s 103(1), 3(5) of the B.N.S.

3. As per the prosecution case, the petitioner is alleged to have entered the house of the informant and started abusing the women, who were engaged in singing a song. It is further alleged that when the husband of the informant intervened in the matter, in the meanwhile, all the FIR named accused persons, including the petitioner, armed with Lathi and Danda came there



and brutally assaulted him. The husband of the informant was taken to Hospital where he died after few days.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that no such injuries were found on the body of the deceased Nand Kheswar Chouhan which would substantiate the allegation levelled in the FIR. It is next submitted that the cause of death as stated in the post-mortem report was “due to septicemic shock due to above mentioned previous injury and its complication due to prolong treatment”. It is also submitted that similarly situated co-accused persons have already been granted anticipatory bail by co-ordinate Bench of this Court vide order dated 21.05.2025 passed in Cr. Misc. No. 31585 of 2025. It is lastly submitted that the petitioner has clean criminal antecedents and is in custody since 13.01.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the petitioner along with other named co-accused persons had brutally assaulted the husband of the informant, who died during the course of treatment, hence, he does not deserve the liberty of bail.

6. Considering the aforesaid submissions of the



parties and also considering the post-mortem report as well as the period of custody coupled with the fact that similarly situated co-accused persons have already been granted anticipatory bail by co-ordinate Bench of this Court, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Gopalpur P.S. Case No. 283 of 2024, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.



7. The application stands allowed.

(Sourendra Pandey, J)

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