

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40689 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- DUMARIAGHAT District- East
Champaran

Jai prakash Giri S/o Bayash Giri Resident of Village- Dhangarha, P.S.-
Dumariya Ghat, District-East Champaran. Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s :

Mr. Bhola Prasad,
Mr. Sumit Kumar,
Mr. Dhurendra Kumar,
Mr. Sudhanshu Kumar, Advocates.

For the Opposite Party/s :

Mr. Rajendra Nath Jha, APP

For the informant :

Ms. Priyanka Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-07-2025 Heard Mr. Bhola Prasad, learned counsel for the
petitioner, Mr. Rajendra Nath Jha, learned APP and Ms.
Priyanka Kumari, learned counsel for the informant.

2. The petitioner apprehends his arrest in connection
with Dumariyaghat P.S. Case No. 15 of 2025 dated 21.01.2025
registered under Sections 103(1), 3(5) of the BNS, 2023.

3. As per the First Information Report on 19.01.2025,
while the informant's father had gone to watch his wheat field,
the petitioner along with other five accused persons named in
the FIR arrived there with planning having rifle, rod, lathi,
bricks and assaulted him brutally due to which he died in the
hospital.

4. Mr. Bhola Prasad, learned counsel for the petitioner
submits that the allegation against the petitioner is general and
omnibus in nature. It has been alleged that altogether six
accused persons including the petitioner along with other



unnamed accused persons assaulted the informant's father. In the postmortem report, the specific overt-act has not been alleged against the petitioner and there is land dispute between the parties for which Title Suit is pending.

5. On the other hand, Ms. Prinyanka Kumari, learned counsel appearing for the informant vehemently opposed the prayer for anticipatory bail and submits that all the accused persons by forming unlawful assembly having weapons in their hands surrounded the informant's father, assaulted him brutally due to which, he sustained multiple injuries and died in the hospital on the same day during treatment. The attack on the informant's father was made due to land dispute which is evident from the FIR itself. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Regard being had to the submissions made by the parties, taking into consideration the serious nature of allegation and the fact that the petitioner is specifically named in the FIR, I am not inclined to grant the privilege of anticipatory bail to the petitioner. The same is, hereby, rejected.

(Anil Kumar Sinha, J)

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