

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52034 of 2025**

Arising Out of PS. Case No.-363 Year-2025 Thana- FATUA District- Patna

1. Arvind Giri S/o Late Mukhiya Giri R/o Vill- Rampur, Post and P.S.- Fatuha, Distt- Patna
2. Ajit Giri @ Ajit Kumar @ Kthu S/o Arvind Giri R/o Vill- Rampur, Post and P.S.- Fatuha, Distt- Patna
3. Sujit Giri @ Sujit Kumar @ Pothan S/o Arvind Giri R/o Vill- Rampur, Post and P.S.- Fatuha, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar  
For the Opposite Party/s : Mr. Raj Ballabh Singh

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

4      01-12-2025                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with P.T.N. 2486 of 2025 arising out of Fatuha P.S. Case No. 363 of 2025 registered for the offence punishable under Sections 308(5), 308(3), 316(2), 318(4), 303(2), 352, 351(2), 3(5) of BNS 2023 and Section 27 of the Arms Act.

3. As per prosecution case, the informant was constructing a pond, in the meantime, the accused petitioners started demanding extortion money of Rs. 5 lakhs. When the informant denied to give the money then the accused petitioners



snatched gold chain from the informant's neck and took signature of the informant on a blank paper on the point of pistol and when the informant raised alarm, the accused petitioners started firing in air and fled away from the place of occurrence.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR. He further submits that the alleged occurrence took place on 20.05.2025 at 06:00 A.M. but the first information report was lodged on 21.05.2025 at about 16:30 P.M. and there is allegation of demanding ransom, which is not delivered. The allegation of ransom is not made out. In the above facts and circumstances of the case, the very allegation of firing, which was made but no firing material was recovered from the place of occurrence and the reason behind the alleged occurrence is stated to be the land dispute between the parties, which is clearly inferred from the verbatim of the prosecution story. The allegation as alleged in the FIR is not made out against the petitioners. The petitioner nos. 1 and 2 have no criminal antecedent but petitioner no. 3 has one criminal antecedent, in which he is already on bail, as submitted by the learned counsel for the petitioners.

5. The learned A.P.P. for the State opposes the prayer



for anticipatory bail of the petitioners and submits that the name of the petitioners finds place in the FIR and they cannot escape from the allegation made in the prosecution story.

6. Considering the above facts and circumstances of the case, the arguments advanced on behalf of both the side and also taking into consideration the materials available on record, the petitioners above named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-II, Patna City in connection with P.T.N. 2486 of 2025 arising out of Fatuha P.S. Case No. 363 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

**(Alok Kumar Pandey, J)**

shailendra/-

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