

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71625 of 2024

Arising Out of PS. Case No.-182 Year-2023 Thana- JAGDISHPUR District- Bhojpur

1. Jitesh Kumar Giri S/O Late Chandrama Giri R/O Village- Kaurake Mathiya, P.S- Jagdishpur, Distt.- Bhojpur.
2. Raju Giri S/O Late Chandrama Giri R/O Village- Kaurake Mathiya, P.S- Jagdishpur, Distt.- Bhojpur.
3. Surendra Giri S/O Santh Giri R/O Village- Kaurake Mathiya, P.S- Jagdishpur, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

3 10-02-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Jagdishpur P.S. Case No. 182 of 2023 for the offence under Sections 147, 149, 341, 323, 307, 354, 379, 504, 506 of the Indian Penal Code.

3. As per the prosecution story, the informant has alleged that on 09.05.2023 at about 9:00 AM, when he was taking his meal, suddenly all the FIR named accused persons variously armed with *lathi*, *danda* and iron rod entered his house and started abusing him. In the meantime, petitioner no. 1 namely Jitesh Kumar Giri assaulted him by means of iron rod on the head of the informant. It is further alleged that petitioner no. 3 namely Surendra Giri has snatched golden ornament of her



sister.

4. Learned APP opposes the prayer for anticipatory bail and submits that there is specific allegation against petitioner no. 1 namely Jitesh Kumar Giri that he assaulted the informant by means of iron rod and resultantly, blood is oozing out from his head.

5. From perusal of the FIR itself it appears that there is specific allegation against petitioner no. 1 – Jitesh Kumar Giri of assaulting the informant on his head and other parts of the body by means of iron rod due to which he became injured and blood started oozing out. In para 20 of the case diary, injury report of injured Suraj Giri has been mentioned in which it appears that he has sustained multiple injuries.

6. Keeping in view the aforesaid facts and circumstances, prayer for anticipatory bail of petitioner no. 1 Jitesh Kumar Giri stands rejected, so far as petitioner nos. 2 & 3 namely Raju Giri & Surendra Giri respectively be enlarged on bail as there is no specific allegation against them to assault anyone in the FIR.

7. Let the petitioner nos. 2 & 3 be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.



10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned A.C.J.M. 1st Bhojpur at Ara in connection with Jagdispur P.S. Case No. 182 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(S. B. Pd. Singh, J)

prabhakar/-

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