

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71213 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- ANTI District- Gaya

1. Bharat Kumar S/O Suresh Giri R/O village- Kaithi, P.S.- Anti, District- Gaya
2. Sunita Devi W/O Suresh Giri R/O village- Kaithi, P.S.- Anti, District- Gaya
3. Roushani Kumari W/O Munna Giri R/O village- Kaithi, P.S.- Anti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vinod Kumar, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-10-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Anti P.S. Case No. 47 of 2025 registered for the offence under Sections 126(2), 115(2), 117(2), 109, 329(3), 352 and 3(5) of the B.N.S., lodged on 08.04.2025 by the informant, Dharmendra Giri.

3. As per the prosecution story, the informant alleged that his neighbour, all named in the F.I.R. including these petitioners assaulted his nephew Mohit Kumar earlier in the evening and later in the next morning. In the morning, allegation is that Sunil Giri assaulted his elder brother, Mithlesh Giri causing injury on his legs, further allegation is against Munna



Giri and Sunil Giri of assaulting both his brother as also the informant. The two brothers and the nephew went to the Primary Health Centre and then for better treatment, the elder brother and the nephew was shifted to N.M.C.H., Gaya. This led to the F.I.R.

4. Learned counsel for the petitioners submit that specific allegation is against Sunil Giri and Munna Giri of assaulting the informant/brother/nephew while omnibus allegation is against all the family members, two of them are ladies while petitioner no.1, Bharat Kumar is a young student and only to ruin his future, implicated. Last submission is that without accepting the allegation or the outcome of the present petition, the petitioners intend to pay Rs.3,000/- each (totaling Rs.9,000/-) to the informant as a treatment cost of informant/brother/nephew by Demand Draft issued by the local branch of the State Bank of India/Nationalized Bank.

5. Learned APP Mr. Jitendra Kumar Singh, opposes the prayer submitting that though allegation is there mainly against Sunil Giri and Munna Giri, omnibus allegation is against all the accused persons of having assaulted twice in the evening as also the morning.

6. Considering the submissions of the parties,



allegation is there and the role of other accused persons cannot be ignored specially Sunil Giri and Munna Giri, these three petitioners are concerned, two of them are ladies having no criminal antecedent, Bharat Kumar is a student of 19 years, also having no criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.3,000/- each (totaling Rs.9,000/-) to the informant as undertaken by the learned counsel for the petitioners through Demand Draft issued by the local branch of the State Bank of India/Nationalized Bank to be submitted at the time of execution of the bail bond and the same shall be handed over as and when the informant comes to the Court after checking his/her credentials.

7. Let the petitioners 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 Additional Chief Judicial Magistrate-IX, Gaya, in connection with Anti P.S. Case No. 47 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(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 their 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;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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