

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81423 of 2024

Arising Out of PS. Case No.-191 Year-2024 Thana- TAJPUR District- Samastipur

1. Kanhaiya Giri Son of Kailash Giri Resident of Village - Songar, P.S. - Tajpur, District - Samastipur
2. Kunal Giri Son of Kailash Giri Resident of Village - Songar, P.S. - Tajpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 18-02-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Tajpur P.S. Case No. 191 of 2024 instituted for the offences under Sections 126(2), 115(2), 118(1), 117(2), 109, 352, 303(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution story, in short, is that, on the alleged date and time of occurrence, all the accused persons including the petitioners armed with weapons came at the place of occurrence and started assaulting the informant and his family members. It is further alleged that Kanhaiya Giri (petitioner no. 1) assaulted one Phuleshwar Giri with knife whereas Kunal Giri



(petitioner no. 2) assaulted one Ajay Kumar Giri with sword.

4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against these petitioners. Learned counsel further submitted that both parties are agnates and there is case and counter-case between the parties. Learned counsel further submitted that injury sustained by injured, Ajay Kumar Giri is simple in nature. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioners that the petitioners are in custody since 10.09.2024 and have one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, nature of injury, case and counter-case between the parties as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Tajpur P.S. Case No.



191 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

