

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78399 of 2025

Arising Out of PS. Case No.-211 Year-2015 Thana- RAXAUL District- East Champaran

Bhushan Giri S/O Late Sukdeo Giri Resident of Village- Bharat Mahi, P.S.-
Raxaul (Haraiya O.P.), District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Raxaul (Haraiya OP) P.S. Case No. 211 of 2015 registered for the alleged offences under Sections 341, 323, 447, 324, 504, 307/34 of the Indian Penal Code.

03. As per prosecution case, petitioner and other co-accused persons assaulted the informant when the informant opposed their act of extending an eaves (*Chhajja*) on his land.

04. Learned counsel for the petitioner submits that the petitioner was granted anticipatory bail provisionally vide order dated 12.01.2016 passed in Criminal Misc. No. 1478 of 2016 and the provisional bail granted was to be confirmed after ascertaining the fact that there were no grievous injury. If any grievous injury was found, the accused persons were required to



surrender and pray for regular bail. Learned counsel further submits that the petitioner could not surrender before the learned trial court in compliance of order dated 12.01.2016 passed in Criminal Misc. No. 1478 of 2016 being a rustic person and no knowledge about legal consequences of the orders of this Court. Rest of the co-accused persons have been continuing on provisional bail till date. From the FIR, it is clear that there is general and omnibus allegations against all the accused persons and only specific allegation is against co-accused Manjay Giri. The petitioner is in custody since 24.05.2025 and charge-sheet has been submitted. The petitioner is having antecedent of two cases and he is on bail in both the cases.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is no specific allegation of assault against this petitioner and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional



Judicial Magistrate, Raxaul, East Champaran, Motihari/court
concerned in connection with Raxaul (Haraiya OP) P.S. Case
No. 211 of 2015, subject to the conditions mentioned in Section
480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of
the petitioner.
- (ii) The petitioner will remain present on each and
every date fixed by the court below.
- (iii) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail
bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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