

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.88169 of 2024

Arising Out of PS. Case No.-125 Year-2024 Thana- DUMARIAGHAT District- East  
Champaran

1.

Chhotelal Giri Son of Bam Giri Resident Of Village -Rampur, Khajuriya, PS- Dumariyaghat, Distt.- East Champaran
2.

Ajay Giri @ Ajay Kumar Giri Son of Darbari Giri Resident Of Village -Rampur, Khajuriya, PS- Dumariyaghat, Distt.- East Champaran
3.

Chandeshwar Giri Son of Rambachan Giri Resident Of Village -Rampur, Khajuriya, PS- Dumariyaghat, Distt.- East Champaran
4.

Raushan Giri @ Raushan Kumar Giri Son of Chhotelal Giri Resident Of Village -Rampur, Khajuriya, PS- Dumariyaghat, Distt.- East Champaran
5.

Indal Giri @ Indal Kumar Giri Son of Chandeshwar Giri Resident Of Village -Rampur, Khajuriya, PS- Dumariyaghat, Distt.- East Champaran
6.

Vijay Giri Son of Darbari Giri Resident Of Village -Rampur, Khajuriya, PS- Dumariyaghat, Distt.- East Champaran
7.

Jitnesh Giri @ Jeetnesh Kumar Giri Son of Chandeshwar Giri Resident Of Village -Rampur, Khajuriya, PS- Dumariyaghat, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar  
For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA  
ORAL ORDER

- 2

22-01-2025

1.

Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2.

This application, for grant of anticipatory bail, arises out of Dumariaghat Police Station Case No. 125 of 2024, dated 12.06.2024, disclosing offences punishable under Sections 341/323/448/380/354/307/504/387/506/34 of the Indian Penal Code.



3. The prosecution case, as per the First Information Report, is that on 23.05.2024, the petitioner no. 5, along with his family members, kidnapped the grand daughter of the informant, namely, Kiran Kumari, for which Dumariaghat Police Station Case No. 110 of 2024 was lodged by the informant. On 11.06.2024, in the morning, all the FIR-named accused persons, including the petitioners arrived at the door of the informant, started assaulting her and the petitioner nos. 3 and 6 caught hold the hand of the informant and the petitioner no. 7 tightened his neck with the iron wire. The accused persons also looted cash, household articles etc.
4. Learned Counsel for the petitioners submits that the present First Information Report has been lodged against the petitioners due to the fact that in Dumariaghat Police Station Case No. 110 of 2024, with the allegation of kidnapping of the grand daughter of the informant, the statement of the victim girl was recorded under Section 164 of the Code of Criminal Procedure, 1973, in which she has stated that the petitioner no. 7 never kidnapped her and further stated that she has performed marriage with the petitioner no. 7 and she is willing to live with her



husband, i.e. petitioner no. 7. He further submits that the victim girl was handed over to the petitioner no. 7 by the Court and she is still living with him as husband and wife. All these facts have been stated by the petitioners in the supplementary affidavit. He further submits that both the parties are neighbours and residing in the same locality, having dispute regarding passage. No apparent injury has been caused to the informant and the allegation against the accused persons are general and omnibus in nature.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are neighbours, having land dispute and in the previous case, i.e. Dumariaghat Police Station Case No. 110 of 2025, filed by the informant against the petitioners and others for kidnapping of the victim girl, who, in her statement, has not supported the prosecution version, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on



furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, East Champaran, at Motihari, in connection with Dumariaghat Police Station Case No. 125 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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