

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84204 of 2024

Arising Out of PS. Case No.-177 Year-2024 Thana- HARSIDHI District- East Champaran

Dhananjay Giri @ Pradeep Giri Son of Harendra Giri Resident of village
-Giri Tola Bhada, PS- Harsidhi District -East Champaran Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 10-01-2025 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner apprehends arrest in connection with
Harsidhi P.S. Case No. 177 of 2024, registered under Section
302/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons threatened the informant
that they would kill the husband of the informant and
subsequently, when her husband went to the graveyard for
prayer, co-accused persons including the petitioner committed
murder of husband of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Learned counsel for the petitioner also submits that the petitioner was not present at the place of occurrence. Informant has taken the name of the petitioner only on the basis of suspicion. It is next submitted that that no specific allegation has been attributed against the petitioner. The allegation levelled against the petitioner is general and omnibus in nature. The petitioner has got six criminal antecedents in which he is on bail in five cases. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 25.09.2024 passed in Cr. Misc. No. 44970 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner. It is also submitted that all the witnesses have supported the prosecution case. The informant has stated that the petitioner along with other co-accused persons have threatened her that they shall kill her husband. As per paragraph no. 31 of the case diary, post-mortem report of the deceased is mentioned, where cause of death is mentioned as haemorrhage and neurogenic shock caused by firearm. It is further submitted that specific allegation is levelled against the petitioner. Hence, the petitioner does not deserve the privilege of anticipatory bail.



6. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below and pray for regular bail.

(Rudra Prakash Mishra, J)

Rajorshi/-

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