

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83801 of 2025

Arising Out of PS. Case No.-248 Year-2025 Thana- DAWATH District- Rohtas

Satyendra Giri @ Satendra Giri S/O Late Nagina Giri R/O Vill.- Bodadhi
Mathiya, P.S- Dawath, Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-12-2025 Heard learned Advocate for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Dawath P.S. Case No.248 of 2025 registered for the offences punishable under Sections 109, 351(2), 352, 3(5) of the BNS and Section 27 of the Arms Act.

3. Allegedly, in the morning of the fateful day, while the co-accused persons were forcefully ploughing the field of the informant and when the same was protested by the informant along with her son, all the accused persons abused and threatened to kill. It is further alleged that after sometime, the petitioner went to his roof and started abusing the informant and when the same was objected, he resorted to firing with his gun which caused serious injury to the informant.

4. Learned Advocate for the petitioner contended that



admittedly there is a land dispute and the parties are agnates, who are bickering over the property and, as such, false implication of the petitioner cannot be ruled out, as he being *karta* of the family. It is further contended that the injury report does not corroborate the allegation, inasmuch as though the occurrence took place on 29.07.2025 at 11:00 AM and the injured was examined at 12:06 PM on the same day, but the age of injury is said to be only 4-6 hours. The injury also does not appear to be caused by bullet as all the four injuries have been found to be abrasion, though it is said to have been caused by gun firing. The injury report is nothing but collusive in nature, is the contention of the learned Advocate for the petitioner. It is further contended that the petitioner bears one criminal antecedent but of the year 2018 and now he has been acquitted in the said case.

5. On the other hand, learned Advocate for the State submitted that besides the specific accusation of resorting fire leading to grievous injury, it is the fact that the enmity is a sword, which cuts both the edges.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the specific nature of accusation of causing firearm injury,



which is declared to be grievous in nature, this Court is not persuaded to grant the anticipatory bail to the petitioner. Accordingly his prayer is rejected.

7. However, if the petitioner surrenders before the court below, preferably within a period of four weeks from today and seeks regular bail, the same shall be considered forthwith on its own merit(s) without being prejudiced by the order of this Court and taking note of the submissions as led before this Court.

(Harish Kumar, J)

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