

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11697 of 2026

Arising Out of PS. Case No.-366 Year-2025 Thana- DHANAHA District- West Champaran

Madan Giri @ Madan Puri S/o Sabhapati Giri R/o Village- Chhitauna Tola,
P.S- Dhanaha, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baxi S.R.P. Sinha, Sr. Advocate. Mr. Irfan Ahmad Ansari, Advocate.
For the State	:	Mr. Ram Anurag Singh, A.P.P.
For the Informant	:	Mr. Vijay Kumar Singh No.1, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 25-02-2026 Heard learned Senior Counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with Dhanaha P.S. Case No.366 of 2025 for the offences registered under Sections 126(2), 115(2), 118(1), 109(1), 303(2), 351(3), 3(5), 352 of the B.N.S. and later on Section 103 of the B.N.S., 2023 was added.

3. As per the prosecution case, by taking the informant's name, the petitioner and one Govind Giri were abusing Hari Yadav and the informant. When it was objected to by the informant, the petitioner and Govind Giri assaulted Hari Yadav. When the mother of informant namely Guma Devi intervened for rescue, she was also assaulted by the accused



persons. It is alleged that co-accused Govind Giri assaulted informant's mother on her head with Bakua causing a serious head injury who died in the course of treatment.

4. Learned Senior Counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that there is no specific allegation of any assault or overt act attributed against the petitioner to the deceased. He has made accused in the present case with *malafide*. There is case and counter case between the parties. The deceased was old lady who was suffering from old age disease and died during her treatment. Learned Senior Counsel submits that similarly situated four co-accused persons have been granted regular bail by the Co-ordinate Bench of this Court vide order dated 13.01.2026 passed in Cr. Misc. No.91510 of 2025. He further submits that petitioner has one criminal antecedent, in which he is acquitted by the Court concerned. Petitioner is in custody since 13.11.2025 and he undertakes to co-operate in the investigation and trial.

5. Learned counsel appearing on behalf of the State as well as learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case, nature of allegation



against the petitioner and the fact that co-accused persons have already been granted regular bail by a Co-ordinate Bench of this Court as well as the period of custody already undergone by him, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bagaha, West Champaran/ concerned Court in connection with Dhanaha P.S. Case No.366 of 2025, subject to the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Trial Court.

(2) If the petitioner tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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