

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13969 of 2026

Arising Out of PS. Case No.-2 Year-2024 Thana- Manuapul District- West Champaran

Kanhaiya Giri @ Kanhaiya Kumar Giri, S/O Ramakant Giri R/O Vill.- Parsa,
Giri Tola, P.s.- Manuapul, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 26-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Manuapul P.S. Case No. 2 of 2024 registered for the offences under Sections 341, 323, 307, 34 of the Indian Penal Code and Section 27 of the Arms Act, 1959.

3. The prosecution case is to the effect that while the informant was returning from a dance program, three persons on a motorcycle intercepted him. It is further alleged that the informant got down from the motorcycle and one of the



miscreants fired upon the left thigh of the informant and the three persons, thereafter, fled away.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and in fact his name transpired during the course of investigation when some witnesses have stated that the petitioner was present there and had misbehaved with the dancer. It has further been submitted that the informant had not named the petitioner even during the filing of the FIR or in his re-statement and the villagers who were present in the dance program had named the petitioner, however, the specific allegation of overt act is against co-accused Pankaj Giri, who is said to have fired upon the informant's left leg. It has next been submitted that no case under Section 307 of the IPC is made out in the facts and circumstances of the case. It has lastly been submitted that the petitioner has clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below



within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Manuapul P.S. Case No. 2 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two 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.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is



allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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