

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24293 of 2026

Arising Out of PS. Case No.-338 Year-2025 Thana- KONCH District- Gaya

-
1. Kalavati Devi @ Kalauti Devi W/o Lalan Giri
 2. Vijay Giri @ Vijay Kumar S/o Lalan Giri
 3. Lalan Giri S/o Late Saryu Giri @ Sargu Giri @ Sarju Giri
 4. Shatrudhan Giri S/o Shardanand Giri
 5. Bittu Kumar S/o Ravindra Giri
- All are resident of village- Baikanthpur, Police Station- Konch, Dist.- Gaya
Jee

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kumar Sinha
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 22-04-2026 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 Konch Police Station Case No. 338 of 2025, dated 21.06.2025, disclosing offences punishable under Sections 127(2)/115(2)/118(1)/109/352/351(3)/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that on 15.05.2025, at about 8 PM, while the son of the informant was going to attend the nature's call, the accused persons assaulted him by lathi-danda, due to which he sustained injury. When the family members of



the victim came there on the alarm being raised by him, they saw that the accused persons have given knife blow on the eyes of the victim, due to which he sustained injury. When the husband of the informant intervened, he was also assaulted by the accused persons on his head and left hand by lathi, due to which he sustained injury on his head and the finger of left hand got fractured. The accused persons also assaulted the informant by lathi and danda.

4. Learned Counsel for the petitioners submits that both the parties are agnates and there is dispute with regard to passage. There is case and counter case between the parties inasmuch as Konch Police Station Case No. 283 of 2025 has been filed by the petitioners' side and the case of the petitioners' side was lodged on 19.05.2026; whereas, the present First Information Report has been lodged on 21.06.2025, i.e. after 36 days of the alleged occurrence without any explanation. He further submits that there is general and omnibus allegation against the petitioners and the prosecution has not produced injury reports of the victims.
5. Regards being had to the submissions advanced on behalf



of the parties and taking into consideration the fact that both the parties are agnates, there is admitted dispute with regard to passage, there is case and counter case and the case lodged by the petitioners' side is prior in time, there is inordinate delay of about 36 days in lodging the present First Information Report and the prosecution has failed to bring the injury reports of the victims, 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 bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Konch Police Station Case No. 338 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

