

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41671 of 2025

Arising Out of PS. Case No.-273 Year-2021 Thana- DARIYAPUR District- Saran

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Lokesh Giri @ Lokesh Kumar Giri S/o Mainejar Giri Village- Math Chilave,
PS- Dariyapur, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nalin Kumar

For the Opposite Party/s : Mr. Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 21-01-2026 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Dariyapur Police Station Case No. 273 of 2021,
disclosing offences under Sections 147, 341, 323, 307, 379, 504
of the Indian Penal Code.

3. As per the prosecution case, on 12.06.2021,
while the informant's father was coming towards his home and
no sooner than reached near Mohanpur, the petitioner along with
other accused persons, total 11 in numbers, surrounded him and
assaulted him by danda, gandasi, gun and iron rod. It has further
been alleged that co-accused Dipan Giri assaulted the
informant's father by iron rod and the co-accused Dipak Giri
assaulted with gandasi.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to previous enmity, which would be evident from the FIR itself. The allegation against the petitioner is general and omnibus in nature and from the case diary, it would be evident that no injury report has been brought by the prosecution.

5. Learned Counsel for the State, referring to the case diary, submits that it is true that opinion of the doctor is still awaited and the injury report has not been brought on record.

6. I have heard learned counsel for the parties and have gone through the materials available on record, including the impugned order. It appears from the impugned order that petitioner had filed anticipatory bail application before the learned Sessions Judge in the year 2021 and subsequently, it was dismissed as withdrawn. Again, a second anticipatory bail application was filed on 30.05.2024 and after dismissal of the same, petitioner has approached this Court for grant of anticipatory bail. Accordingly, I am not inclined to grant the petitioner privilege of anticipatory bail on the second application filed before the learned Sessions Judge. Accordingly, this application stands rejected.



7. However, if the petitioner surrenders before the concerned Court and seeks regular bail, the same may be considered by the concerned Court on its own merit without being prejudiced by the fact that anticipatory bail of the petitioner has been rejected by this Court.

(Anil Kumar Sinha, J)

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