

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-II, GAYA**ANTICIPATORY BAIL PETITION NO. 3824 OF 2025**

[Arising out of Konch P.S. Case No. 338 of 2025]

1. Shardanand Giri Son of Late Saryu Giri
2. Shatrudhan Giri son of Shardanand Giri
3. Bittu Kumar son of Ravindra Giri
4. Lalan Giri son of Late Saryu Giri
5. Kalavati Devi wife of Lalan Giri
6. Vijay Giri son of Lalan Giri

All r/o village- Baikanthpur, P.S. Konch, Distt.- Gaya.

----- Accused Petitioners

VERSUS

The State of Bihar

----- Opposite Party

Present:- Nalin Kumar Pandey**03.11.2025**

1. This anticipatory bail application has been filed on behalf of three accused persons, who are apprehending their arrest in connection with Konch P.S. Case No. 338 of 2025 registered for the offences under Sections 127(2), 115(2), 118(1), 109, 352, 351(3), 3(5) of the B.N.S.
2. Sri Jairam Pal, the learned counsel has appeared to move this anticipatory bail prayer. The prosecution is represented by the Ld. Addl. Public Prosecutor.
3. The learned defence counsel has submitted that the accused petitioners are quite innocent, have committed no offence as alleged by the prosecution. There is no any specific allegation made against the petitioners. On these grounds a prayer has been made for grant of Anticipatory bail to the accused petitioners.
4. The case of prosecution in brief is that, on 15.05.2025 at about 08:00 PM, when informant's son was going to attend nature's call towards northern direction of village and reached at Mahdev Asthan temple. Petitioners (his gotiya) were seen waiting in dark to attack. Suddenly they attacked her son. It is further alleged that all accused persons surrounded her son and started assaulting him brutally with Lathi and club causing grievous hurt with bleeding from his temple. After hearing alarm, all family members rushed to the place of occurrence and saw that her son got fainted due to grievous eye injury caused through knife by the assailants. When her husband tried to save his son, all

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accused assaulted him too with Lathi and club causing grievous head injury and of his finger of left hand fractured. It is further alleged that when informant tried to save her husband and son, they all assaulted her too with Lathi/club causing injury on her whole body.

5. Heard the Ld. A.P.P. and the Ld. Counsel of defence and perused the case record. From perusal of the case record it appears that, petitioner no. 1 Shardanand Giri as claimed is of 80 years old senior citizen and appeared before this Court. L.C.R was called but any incriminating material was not found including the case diary is not attached in the L.C.R.

6. Considering the above facts and circumstances of the case, this court is not inclined to grant anticipatory bail to the petitioners at this stage. Prayer for bail can be considered after receiving of updated Case Diary and injury report.

At the same time, only provisional bail for 30 days to the petitioner no. 1 Shardanand Giri is **allowed considering the ground that petitioner no. 1 is an old person of 80 years**. If the petitioner no.1 appears before the learned lower Court within a period of four weeks from the date of receipt of the order to the trial Court, he shall be released on **Provisional bail for 30 days** on furnishing bail bond of Rs 10,000/- with two sureties of like amount each to the satisfaction of the trial Court with the statutory conditions particularized
u/s 482 (2) of the B.N.S.S.

The provisional bail for 30 days is hereby **allowed** to petitioner no. 1.

Sd-

(Nalin Kumar Pandey)

Additional Sessions Judge-II, Gaya

03.11.2025