

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**09.03.2026**

1. This anticipatory bail application has been filed on behalf of 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 one petitioner namely Shardanand Giri has been granted provisional bail vide order dated 03.11.2025 for 30 days but any further application could not be moved from his side due to non-communication between lawyer and petitioner no.1. He further submitted that there is no any specific allegation made against all the remaining petitioners. On these grounds a prayer has been made for grant of anticipatory bail to the accused petitioners no. 2 to 6.
4. The case of prosecution based on written application of informant, in brief is that, on 15.05.2025 at about 08:00 PM, when informant's son was going to attend nature's call on north of village, accused including petitioners (his gotiya) named in the F.I.R intercepted her son, started assaulting him brutally with Lathi and club, causing grievous injury on his temple. After hearing the alarm, all her family members rushed to the place of occurrence, informant saw her son got fainted due to grievous eye injury caused to him

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through knife by the accused persons. When her husband tried to save his son, all accused assaulted him too with Lathi and club causing grievous head injury and fracture on his finger of left hand. 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. On hearing alarm, 20 to 25 co-villagers reached at the place of occurrence and saved informant and her family from the accused persons.

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, this petition is pending in this Court since 25.09.2025. In spite of giving several directions to the prosecution for producing the injury report and the case diary, the same have not been placed before this Court yet. Petitioner no. 1 Shardanand Giri has already been granted **Provisional bail on 03.11.2025 by this Court. Considering the condition already discussed in the impugned order the bail of elderly petitioner no. 1 of 80 years age is confirmed.**

Considering the bail application regarding petitioner nos. 2 to 6, this Court finds that in the F.I.R. registered a serious allegation has been made in which son of the informant was attacked with a sharp weapon like knife causing his eye got injured. It is further allegation that these petitioners specifically named Sanjay Giri has caused head injury to the husband of informant and also one of his finger of his hand got fractured by these petitioners. There is further allegation that the informant herself got injured in the scuffle and attack. Petitioner no. 2 and 6 carry one criminal antecedent vide Konch P.S. Case No. 449 of 2023.

6. Considering the seriousness of allegation and gravity of offence alleged, this Court found not appropriate to grant the privilege of anticipatory bail to the accused petitioner nos.2 to 6, at this stage. Hence the prayer of grant of anticipatory bail to petitioner no. 2 to 6 is hereby rejected.

This anticipatory bail application is hereby **partly allowed.**

Sd-
(Nalin Kumar Pandey)
Additional Sessions Judge-II, Gaya
09.03.2026