

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11144 of 2017

Arising Out of PS.Case No. -97 Year- 2016 Thana -ASHTHWAN District- NALANDA
(BIHARSHARIFF)

=====

1. BARHMA NAND GIRI GOSWAMI, son of Dayanand Giri Goswami,
resident of Village- Asthawan, P.S.- Asthawan, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar
For the Opposite Party/s : Mr. Sri Chaubey Jawahar

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 27-03-2017 Heard both sides.

The petitioner apprehends his arrest in Asthwan P.S.
Case No. 97/2016, registered for the offences punishable under
Section 307 and other Sections of the Indian Penal Code.

The informant alleged that besides his plot bearing
no. 3493, plot no. 3494 of Dayanand Giri Goswami is situated.
She further alleged that on her land some shops are let out, but the
shop-keeper of the informant informed her that Dayanand Giri
broke out the lock and took away the articles from her shop. The
informant further alleged that accused persons assaulted her and
took away different articles.

Learned counsel for the petitioner submits that the



petitioner is, of course, named in the FIR, but no allegation of either assault or theft is made against the petitioner. Other accused persons have already been granted regular bail vide order passed in Cr. Misc. No. 52549/2016 and Cr. Misc. No. 52181/2016. The case of the petitioner stands on the better footing.

From perusal of the FIR, it appears that there is land dispute between the parties and no specific allegation is made against the petitioner.

Considering the facts aforesaid, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate V, Nalanda in connection with Asthawan P.S. Case No. 97/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

Rakhi

U		T	
---	--	---	--

