

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6732 of 2021

Arising Out of PS. Case No.-97 Year-2020 Thana- RANIGANJ District- Araria

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1. BALMIKI GOSWAMI Son of Ghanshyam Goswami
 2. Gonar Choudhary @ Jogendra Choudhary Son of Late Bhaday Choudhary
Both resident of Village - Kohwara Bishanpur, Ward No. 07, P.S.- Raniganj,
District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 28-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioners have filed the instant application for grant of regular bail in connection with Raniganj P.S. Case No.97 of 2020 registered under section 307 and other sections of the Indian Penal Code.

As per allegations in the F.I.R., the accused persons including the two petitioners herein are stated to have abused the husband of the informant and on his protest, it is stated that all of them started to assault him. Further, petitioner no.1 struck him with the 'khanti' on his head as a result of which, he started to bleed profusely.



It is submitted by learned counsel for the petitioners that the allegations as levelled in the F.I.R. are false and concocted. There is case and counter case between the parties, the correct version having been narrated in the counter case, F.I.R. of which is Annexure-2 to the petition. There is admitted land dispute, which is the cause of false implication of the petitioners. The petitioners are in custody since 9.10.2020, have no criminal antecedent and investigation in the case has concluded.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the direct allegation of assault by the petitioner no.1 which is supported by the injury report, the Court is not inclined to enlarge the petitioner no.1 on bail. His application is rejected.

Taking into consideration the facts and circumstances of the case including the petitioner no.2 having remained in custody since 9.10.2020 and investigation in the case having concluded, the petitioner no.2 is directed to be enlarged on bail in connection with Raniganj P.S. Case No.97 of 2020 (G.R. No.673 of 2020) on furnishing bail bond of Rs.10,000/ (Rupees



Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VI, Araria.

(Partha Sarthy, J)

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