

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9728 of 2022

Arising Out of PS. Case No.-88 Year-2020 Thana- MALI District- Aurangabad

=====

BIRENDRA GOSWAMI @ BIRENDRA GOSAI S/o Ramashish Goswami @
Ramashish Gosai R/o village- Bairwa Loknath, P.S.- Mali, District-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms.Mukul Kumari, Advocate

For the Opposite Party/s : Ms.Nirmala Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-12-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 307 and other sections of the Indian Penal Code.

As per the prosecution case, the petitioner is said to have given a *garasa* blow on the head of the father of the informant leading to grievous injury.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case as a result of dispute over partition of ancestral land which is borne out from the contents of the FIR itself. The manner of occurrence is other than what has been narrated in the FIR. The petitioner is in custody since 18.1.2022 and chargesheet has



been submitted in the case.

Learned A.P.P. for the State opposes the bail application submitting that the injury attributed to the petitioner in the FIR has been found to be grievous in nature.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR together with the contents of the injury report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail after six months or framing of charge whichever is earlier.

(Partha Sarthy, J)

Bibhash/-

U			
---	--	--	--

