

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25496 of 2023

Arising Out of PS. Case No.-14 Year-2016 Thana- PURAINI District- Madhepura

Niraj Goswami Son Of Shri Lakhan Goswami @ Lakhan Goswami Resident
Of Village- Hasanpur, Ps- Munger (MUFASSIL), Distt- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 27-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 326, 307 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, it is alleged that some unknown persons shot fire on the back of the husband of the informant, causing serious injury to the injured. Thereafter, he was brought to Sadar hospital, Madhepura and from there he was referred to P.M.C.H., Patna, where his treatment is going on.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. The petitioner is not named in the F.I.R. He has falsely been



implicated in the present case on the basis of suspicion and due to dirty village politics. There is no eye witness of the alleged occurrence and nothing incriminating article has been recovered from the conscious possession of the petitioner. During investigation, the injured has specifically stated in para-30 of the case diary that accused Ranjeet Goswami opened fire, who has already been granted bail by a coordinate Bench of this Court vide order dated 08.02.2018 passed in Cr. Misc. No. 7755 of 2018. Other accused persons have already been granted bail by a co-ordinate Bench vide order dated 17.08.2016 and 01.06.2017 passed in Cr. Misc. No.31755 of 2016 and 24922 of 2017. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 11.10.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Puraini P.S. Case No. 14 of 2016 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 Judicial Magistrate, 1st Class, Udakishunganj, Madhepura.

(Sunil Kumar Panwar, J)

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