

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36137 of 2023

Arising Out of PS. Case No.-803 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

=====

UMESH GOSWAMI LATE RAM PRASAD GOSWAMI RESIDENT OF
VILLAGE- PATAURI PASHIMARI TOLA, PS- MOTIHARI, DISTT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Adv.
For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP.
Mr.Dhannjay Kumar No.2, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-08-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 354(A), 307, 379, 504/34 of the Indian Penal Code.

3. Allegedly, due to land dispute, all the FIR named accused persons including the petitioner came to the informant and attacked on him. Petitioner is said to have given *farsa* blow on the head of the informant due to which he sustained head injury.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Both the parties are co-villagers. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner



is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. There is case and counter case between the parties. As per the injury report, the injury sustained by the informant is simple in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the injury sustained by the informant is found simple in nature, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Motihari Muffasil P.S. Case No. 803 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

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

