

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50846 of 2024

Arising Out of PS. Case No.-146 Year-2023 Thana- SUIYA District- Banka

Rupesh Kumar Goswami Son of Jyotish Goswami @ Late Jyotish Goswami
Resident of Vill- Jeruwa, P.S.- Suiya, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Pandey, Advocate
For the Opposite Party/s : Mrs. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Suiya P.S. Case no. 146 of 2023 instituted under Sections 341, 323, 307, 504, 506, 379 and 34 of the Indian Penal Code.

3. As per the prosecution case, when the informant got information that his daughter has been assaulted by the accused persons then he along with his son went to the house of the petitioner where Rupesh Kumar gave lathi blow on the head of the informant and the co-accused Sunita Devi had assaulted the son of the informant by the iron rod and co-accused Bikash Goswami committed theft of mobile and ornament of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that both sides are family members and due to



some family dispute between the parties this case has been lodged, although, there is an allegation of assault on the head of the informant, no injury report has brought by the prosecution which shows that there is no injury on the informant and his son. Similarly situated co-accused have already been granted bail by this Court vide order dated 13.03.2024, passed in Cr. Misc. No. 15674 of 2024. He further submits that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to each to the satisfaction of the learned J.M. 1st Class, Banka in connection with Suiya P.S. Case no. 146 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

Khushbu/
harshita/-

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