

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58422 of 2024

Arising Out of PS. Case No.-121 Year-2024 Thana- KRITYANAND NAGAR District-
Purnia

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Manoj Kumar @ Manoj Kumar Goswami @ Manoj Goswami son of Sri
Kulanand Goswami village- Satkodariya, Ps- k. Nagar (Maranga), Dist-
Purnea

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand
For the Opposite Party/s : Mr. Umanath Mishra

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with K. Nagar (Sahayak Maranga) P.S. Case No. 121 of 2024 dated 26.02.2024 registered for the offences punishable u/ss 341, 323, 324, 307, 427, 354A, 379, 504 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, it is alleged that the petitioner and the co-accused persons are alleged to have cut off the Sheesam tree of the informant and sold it forcefully. When the informant and her husband demanded their share, all the



accused persons armed with lathi, danda and sword started assaulting her and made her semi-nude. Thereafter, the accused Manoj Goswami and Vikash Goswami also assaulted her with sword causing injury on her head. When her husband came to rescue, the accused Shivam Kumar Goswami also assaulted him with sword causing injury on his head and they also looted cash, ornaments and Sheesham trees from the possession of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the informant is the Bhabhi of the petitioner and there is land dispute between them. There is general and omnibus allegation against the petitioner. The petitioner had no intention to cause death of the informant and there is no repetition of blow. The specific allegation of inflicting blow of sword on the head of the informant's husband is against the co-accused Shivam Kumar Goswami. The injury of the informant is stated to be grievous in nature. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 21.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Purnea in connection with K. Nagar (Sahayak Maranga) P.S. Case No. 121 of 2024, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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