

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.81451 of 2024

Arising Out of PS. Case No.-153 Year-2014 Thana- SABAUR District- Bhagalpur

Ajay Goswami S/o- Gaya Goswami Village- Kurpat P.s. Sajour District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 12-12-2024 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Sabour Police Station Case No. 153 of 2014, disclosing offences under Sections 341, 323, 324, 327, 307, 504, 506 and 34 of the Indian Penal Code.

3. The prosecution case as per the First Information Report, is that on 05.06.2014, in the morning, the informant's uncle was abusing the informant's father. The informant tried to pacify the matter then informant's uncle ordered to assault, on which Ajay goswami (petitioner) assaulted the informant with lathi. Informant's uncle attacked on the informant with sword causing head injury and he fell down. It is further alleged that



when the informant's brother Kundan Kumar came then the other accused persons named in the FIR assaulted the informant's brother with lathi-danda causing head injury. On alarm, when the nearby people ran towards the place of occurrence then the accused persons fled away. After that the injured persons were brought to Mayaganj Hospital.

4. Learned Counsel for the petitioner submits that petitioner is innocent and has not committed any offence. He further submits that both the parties are agnates and due to land dispute he has been implicated in the present case. He further submits that a counter case has been filed by the petitioner's side against the informant and others, bearing Sabour P.S. Case No. 141 of 2014.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for anticipatory bail and submits that the present case has been lodged in the year 2014, the petitioner is named in the F.I.R. and for the first time the petitioner has filed anticipatory bail application before the learned District Court at Bhagalpur in the year 2024 i.e., after ten years of registration of the F.I.R, although he is the family member.

6. Having regard to the submissions made on



behalf of the parties and taking into consideration the delay in approaching the Court for grant of anticipatory bail, I am not inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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