

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82738 of 2024

Arising Out of PS. Case No.-397 Year-2024 Thana- AMARPUR District- Banka

Tanik Lal Goswami S/o- Late Modi Goswami Resident of village-
Molanachak Ps- Amarpur District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Rajiv Nayan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 03-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Amarpur P.S. Case No. 397 of 2024 (G.R. No. 1945 of 2024)
instituted for the offences under Sections 341, 323, 307, 354,
379, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, in short, is that while the
Informant along with her sister-in-law were going for harvesting
crops, the Informant was assaulted by means of iron rod by one
Raja Goswami. It is also alleged that the petitioner took out Rs.
1,000/- from the pocket of the husband of the Informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. Learned counsel for the petitioner submits that there is a land dispute between the parties. He further submits that both the parties are co-villagers and due to land dispute, minor altercation took place between them in which the Informant sustained injury. He further submits that the allegation of assault by iron rod has been attributed against the co-accused Raja Goswami due to which Jyoti Devi sustained grievous injury. There is a case and counter case between the parties. Earlier, the petitioner has filed a Complaint case bearing Complaint Case No. 1078 of 2024 and, in retaliation, the present case has been filed by the Informant. The petitioner has one criminal antecedent and is languishing in judicial custody since 23.09.2024 without any rhyme or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Geeta Devi has been granted bail by this Court vide order dated 21.10.2024 passed in Cr. Misc. No. 71220 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as



also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Amarpur P.S. Case No. 397 of 2024 (G.R. No. 1945 of 2024).

(Rudra Prakash Mishra, J)

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