

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83379 of 2024

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

Rajeev Goswami @ Sanjeet Kumar @ Sanjiv Kumar S/o- Tanik Lal 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, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and

learned APP for the State.

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

3. The prosecution case, in short, is that, while the informant along with her sister-in-law were going for harvesting crops, informant was assaulted by means of iron rod by one co-accused Raja Goswami. It is also alleged that co-accused Tankilal Goswami took out Rs. 1000/- from the pocket of the husband of the informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that no specific allegation has been attributed against the petitioner. The allegation levelled against the petitioner is general and omnibus in nature. Specific allegation of assaulting the informant Jyoti Devi by means of iron rod is against co-accused Raja Goswami. It is next submitted that there is case and counter case between the parties. The petitioner is in custody since 10.08.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 21.10.2024 passed in Cr. Misc. No. 71220 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, case and counter case between the parties, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees 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, corresponding to G.R. No. 1945 of 2024.

(Rudra Prakash Mishra, J)

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