

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84610 of 2024

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

Raja Goswami @ Raj Kumar Goswami S/O Taniklal Goswami Resident of
village- Malanachak,P.S- 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 10-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Amarpur P.S.
Case No. 397 of 2024, registered 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, the petitioner
along with other co-accused person assaulted the informant and
her family members by means of iron rod and also committed
theft of gold ornaments and Rs. 1000/-.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Learned counsel for the petitioner also submits that



the petitioner is the own *gotiya* of the informant. It is further submitted that this petitioner is falsely implicated in this case due to free fighting between the parties. The petitioner has got one criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is further submitted that there is direct and specific allegation against the petitioner of assaulting the informant by means of iron rod due to which she sustained injuries. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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