

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28449 of 2025

Arising Out of PS. Case No.-133 Year-2024 Thana- MANSAHI District- Katihar

Prem Ranjan Goswami @ Chhotu Goswami S/o Late Brahmanand Goswami
Resident of Village- Ghasi Tola, PS- Manihari, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP
For the informant : Mr. Sanjeev Kr. Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 13-08-2025 Heard Mr. Bhola Prasad, learned counsel for the

petitioner, Mr. Sanjeev Kumar Singh representing the informant

as also learned APP.

2. The petitioner is in custody in connection with
Mansahi P.S. Case No. 133 of 2024 for the offence punishable
under sections 126(2), 115(2), 109(2), 352, 351(2)(3), 3(5) of
the BNS and Section 27 of Arms Act lodged on 30.12.2024 by
the informant, Vipin Kumar.

3. As per the prosecution story, the informant alleged
that a branch of mango tree was on the road and as the villager
wanted to remove it, this petitioner without any provocation,
opened fire causing injury to Shiv Ranjan Singh who was
coming from the opposite side. It hit the left leg and caused



injury, another accused, Mira Devi gave sickle blow to Mahesh Kumar Singh who also got injury. This led to the FIR.

4. Learned counsel for the petitioner submits that due to land dispute, exaggerated FIR has been lodged though he concede that the petitioner has criminal antecedent. The further submission is that there is no repetition nor there was any intention to kill Shiv Ranjan Singh, he is in custody since 31.12.2024 and the further submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 25,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to Shiv Ranjan Singh after checking the credentials.

5. Learned APP as also learned counsel for the informant opposes the prayer for bail submitting that though allegation is of only opening single shot, the fact remains that it hit Shiv Ranjan Singh causing injury to him.

6. Taking into account the aforesaid facts as also the period of custody and there is no repetition of opening fire, the trial is not likely to be concluded, an undertaking has been given



that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions subject to payment of Rs. 25,000/- to Shiv Ranjan Singh as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M.-1st Class, Katihar in connection with Mansahi P.S. Case No. 133 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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