

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79081 of 2024

Arising Out of PS. Case No.-363 Year-2024 Thana- BODHGAYA District- Gaya

Manoj Gosain @ Manoj Goswami Son of Rajendra Gosain @ Rajendra Goswami Resident of Village - Mastpura, P.S. - Bodhgaya, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 20-03-2025 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Bodhgaya PS case no. 363 of 2024 dated 24.07.2024, disclosing offences punishable under Sections 126(2), 115(2), 110, 352, 351(2), 3(5) of B.N.S. Act.
3. The prosecution story, as per the First Information Report, is that on 08.07.2024 at about 12 am, while the informant was at his home, in the meanwhile, the petitioner along with other accused persons entered into the house and started abusing him and when objected, they assaulted the informant by means of lathi, bricks etc., due to which, he sustained head injury.
4. Learned Counsel for the petitioner submits that



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on account of the fact that the informant was in drunken condition, due to which, he fell down on the ground and sustained injury. Learned counsel further submits that during course of investigation, statement of informant's wife was recorded, in which, she has stated the fact that informant fell down due to intoxication. He next submits both parties are agnates having land dispute. He also submits that the doctor has reserved the opinion regarding the nature of injury but from perusal of the injury report, it appears that the injury is not serious in nature.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that both parties are agnates having land dispute and the wife of the informant/ victim, in her statement, has stated that the informant was under the influence of liquor, due to which, he fell down, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Bodhgaya PS case no. 363 of 2024, subject to the condition laid down under Section 482 of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

rinkee/-

U		T	
---	--	---	--

