

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33661 of 2016

Arising Out of PS.Case No. -87 Year- 2015 Thana -DELHA District- GAYA

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Santosh Goswami, S/o Late Moti Goswami, R/o Chotki Delha, Paraiya-
Road, P.S. Delha, Distt. Gaya, Bihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Brijeshwar Narayan Singh, Advocate
For the Opposite Party: Mr. Jitendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-09-2016 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 337, 338, 307, 353, 435, 427, 504 and 379 of the Indian Penal Code registered in connection with Delha P.S. Case No. 87 of 2015.

3. It is submitted that the petitioner has been falsely implicated as there is accusation against the mob in general. No specific accusation of any overt act is attributed to the petitioner. Similarly situated accused persons, namely, Mithilesh Choudhary @ Mithilesh Manjhi @ Mithlesh Manjhi and Rakesh; Pintu, Gautam, Rakesh Manjhi @ Buja Choudhary, Umesh Chaudhary and Ravi Kumar @ Ravi have been granted anticipatory bail by this Court in Cr. Misc. No. 26906 of 2015 and Cr. Misc. No. 35562 of 2015, respectively.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or

surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Judicial Magistrate, 7th, Gaya in connection with Delha P.S. Case No. 87 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:-

- (i) That one of the bailors shall be a close relative of the petitioner.
- (ii) That the petitioner shall not indulge in any similar offence.
- (iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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