

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52549 of 2016

Arising Out of PS.Case No. -97 Year- 2016 Thana -ASHTHWAN District- NALANDA
(BIHARSHARIFF)

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Dayanand Giri Goswami S/o Late Gajadhar Goswami, resident of Village
+ P.S. Asthawan , District - Nalanda...

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pankaj Kumar, Adv.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 27.08.2016 in connection with Asthawan P.S. Case No. 97 of 2016 for the offences alleged under Sections 341, 323, 379, 307, 354(A)(B), 504 and 506/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and admittedly there is land dispute between the parties. The injuries are simple in nature and there is no accusation that the petitioner or his family members assaulted anyone. The accusation that the petitioner was pulling the *Saree* of the informant is highly improbable inasmuch as even according to the F.I.R. the petitioner was said to be accompanied by his own family members.

4. Having regard to the entirety of the facts and circumstances of the case as well as the period of custody already suffered, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned



Additional Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Asthawan P.S. Case No. 97 of 2016, on the following 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 till conclusion of the trial.

(iii) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure to do so on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

Md. Ibrarul/BT

(Vikash Jain, J)

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