

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17397 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -CHENARI District- SASARAM (ROHTAS)

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1. Bechan Goswami @ Bechan Gosain S/o Late Kapil Goswami
2. Santosh Goswami S/o Bechan Goswami
3. Vijay Goswami @ Bijay Goswami S/o Bechan Goswami All are residents of Village - Bharandua, P.S. - Chenari, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 11-05-2017 Heard both sides.

The petitioners apprehend their arrest in Chenari P.S. Case No. 07/2017, registered for the offences punishable under Section 307 and other minor sections of the Indian Penal Code.

The informant alleged that Manoj Goswami, Vijay Goswami, Santosh Goswami and Bechan Goswami and others assaulted Santosh Gupta and Sundaram Gupta, when the informant came to save his brother, Manoj Goswami assaulted him with Garasa on his head. Santosh Goswami also pressed his chest.

Learned counsel for the petitioners submits that there is counter version. From perusal of the injury report of Krishna Mohan Gupta it appears that he got 03 lacerated wound and one



swelling. All the injuries are simple in nature. No injury was caused by sharp-edged weapon. Santosh Kumar Gupta also got swelling of left shoulder and tenderness over left shoulder. The petitioners also got injuries. The police after investigation found the case true only under bailable sections of Indian Penal Code, but the learned Judicial Magistrate took cognizance under Section 307 also.

Considering the facts aforesaid and the fact that there is case and counter case and the informant Krishna Mohan Gupta and Santosh Kumar Gupta got simple injuries, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Rohtas at Sasaram in connection with Chenari P.S. Case No. 07/2017, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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