

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62420 of 2017

Arising Out of PS.Case No. -34 Year- 2017 Thana -BARHAT District- JAMUI

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1. Ashok Goswami,
2. Pankaj Goswami,
3. Chhotelal Goswami @ Chhotelal Kumar Goswami,
All are Sons of Ramladdu Goswami, R/o Village- Sugwa Mahua, P.S.-
Barhat, Distt.- Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Parmanand Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-12-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Barhat P.S. Case No. 34 of 2017** instituted for the offence under Sections 147, 341, 324, 307 and 504 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is land dispute between the parties. The allegation against petitioner No. 1 is that he gave Bhala blow to the informant which hit near his eye and the allegation against petitioner No. 3 is of assaulting Binod Goswami with lathi when he came to save the informant.

The learned Sessions Judge in the impugned order has mentioned about the injury report which is available in paragraph-16 of the case diary, from which, it appears that the injury was simple in nature and no description was given by the learned Sessions judge in



the impugned order.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Barhat P.S. Case No. 34 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri N.K. Yadav, **learned Judicial Magistrate, 1st Class, Jamui**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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