

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49375 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- PASRAHA District- Khagaria

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1. Amit Goswami, S/o Late Bhagwan Goswami, Resident of Village- Chhoti Bandehra, P.S.- Pasraha, District- Khagaria.
 2. Banti Goswami, S/o Khokha Goswami, Resident of Village- Chhoti Bandehra, P.S.- Pasraha, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate.

For the Opposite Party/s : Mr.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 07-08-2019 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Pasraha P.S. Case No. 45 of 2019, registered under Sections 341,
323, 504, 324, 326, 302, 307/34 of the Indian Penal Code.

The accusation is that when the son of informant,
Tuntun Goswami, made query about cutting grass by his
grandmother then his son was slapped by his grandmother.
Thereafter, informant made complaint then Amit Goswami
(petitioner no.1) started to abuse him and cause assault. When his
wife, Baby Devi, came there to save him then Amit Goswami
(petitioner no.1) caused injury through axe at her head, in which, she
became senseless and fell down. On raising alarm, his son Karan
Kumar came there then he was assaulted by Chandrakala Devi



through Kachia causing injury at his neck. Thereafter, Banti Goswami (petitioner no. 2) to his son through lathi. Later on, Babi Devi, wife of informant died in course of treatment.

Learned counsel for the petitioners submits that petitioner no. 1 is said to be assailant of the deceased whereas petitioner no.2 caused injury to the son of the informant. It is further submitted that co-accused, Chandrakala Devi has already been granted privilege of pre-arrest bail by a bench of this Court.

Having considered the facts and circumstances of the case and the nature of allegation and the offence, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, their prayer for grant of anticipatory bail stands rejected. The petitioners are directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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