

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5499 of 2020

In
CRIMINAL APPEAL (SJ) No.3803 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- DARPA District- East Champaran

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1. Ramesh Goswami, 32 years, male, Son of Late Mahendra Goswami, Resident of Village-Darpa (Math), P.S.-Darpa, District-East Champaran.
2. Manoj Raut, 40 years, male, Son of Mishri Raut, Resident of Village-Kalwari Musahariya, P.S.-Adapur, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhav Raj, Adv.

For the Opposite Party/s : Ms. Renuka Ratnakar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 02-07-2020 Heard Mr. Madhav Raj, learned counsel for

the petitioners and Ms. Renuka Ratnakar, learned APP

for the State.

This application has been filed for

modification of the order dated 01.10.2019 passed in

Cr. Appeal (SJ) No. 3803 of 2019.



A submission was made on behalf of the appellants therein that the weapons in possession of appellant No. 5/Triloki Raut and appellant No. 6/Manoj Raut are licenced weapons.

Learned counsel for the petitioners has submitted that the statement with respect to appellant No. 6/Manoj Raut was found to be incorrect as he did not have a licenced weapon. For the aforesaid reason, he has not been released on bail.

There is another defect which has been noticed by this Court while dealing with the present modification application. This application has been filed on behalf of Ramesh Goswami (petitioner No. 1) and Manoj Raut (petitioner No. 2), who were appellant Nos. 1 and 6 respectively in the appeal.

On being pointed out by this Court on the aforesaid aspect, Mr. Madhav Raj, learned Advocate, seeks permission to delete the name of petitioner No. 1/Ramesh Goswami (appellant No. 1 in the appeal) from the cause title as he has already been released



on bail pursuant to the order dated 01.10.2019.

Since the matter is being argued on video conference, there would not be any requirement of making an endorsement by the counsel for the petitioner/s for deleting the name of petitioner No. 1/Ramesh Goswami.

The name of petitioner No. 1/Ramesh Goswami (appellant No. 1 in the appeal) stands deleted.

So far as petitioner No. 2/Manoj Raut (appellant No. 6 in the appeal) is concerned, regard being had to his period of custody which is from 03.07.2019, the order dated 01.10.2019 is modified with respect to him to the extent that he be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge-Cum-Special Judge, SC/ST Act, East Champaran, Motihari in connection with Darpa P.S. Case No. 66 of 2019.



The application stands allowed accordingly.

(Ashutosh Kumar, J)

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