

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6594 of 2021

Arising Out of PS. Case No.-88 Year-2020 Thana- MALI District- Aurangabad

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1. Birendra Goswami @ Birendra Gosai S/o Ramashish Goswami @ Ramashish Gosai Resident of Village - Bairwa Loknath, P.S. - Mali, District - Aurangabad
 2. Satendra Goswami @ Satendra Gosai Ramashish Goswami @ Ramashish Gosai Resident of Village - Bairwa Loknath, P.S. - Mali, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-12-2021 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 147, 149, 341, 323, 324, 307, 504, 379 of



the Indian Penal Code.

It is alleged by the informant that all the accused persons including the petitioners assaulted the informant with lathi, bhala and garasa and when his father came to his rescue, it is specifically alleged that petitioner No. 1 assaulted with garasa on his head who received head injuries and fell on the ground. The accused persons also assaulted the other family members of the informant. Petitioner No. 1 also snatched gold chain from the mother of the informant and taken away Rs. 5000/- from the house of the informant.

Learned counsel for the petitioners seeks permission to withdraw the application with regard to petitioner No. 1 namely Birendra Goswami.

Permission is accorded.

Accordingly, the application with regard to petitioner No. 1 is permitted to be withdrawn.

Permission is accorded.



Accordingly, the application with regard to petitioner No. 1 is permitted to be withdrawn.

Let learned Court below consider the prayer for bail of the petitioner No. 1 without being prejudiced by the order of this Court, if he surrenders within a period of six weeks and pray for regular bail.

So far as petitioner No. 2 is concerned, learned counsel for the petitioners submits that there is general and omnibus allegation against petitioner No. 2 and in the background of some land dispute, the present accusation has been levelled. The petitioners and the informant are agnates. A statement has been made in para 3 of the petition that petitioner No. 2 has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner No. 2, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Mali P.S. Case No. 88 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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