

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39375 of 2020

Arising Out of PS. Case No.-251 Year-2020 Thana- KAHALGAON District- Bhagalpur

1. Kewal Goswami @ Kewal Kumar Son of Subodh Goswai @ Subodh Giri Resident of Village - Bishanpur, P.S.- Kahalgaon (Shivnarayanpur), District - Bhagalpur.
2. Gopal Goswami @ Gopal Kumar @ Aryan Raj Son of Subodh Goswai @ Subodh Giri Resident of Village - Bishanpur, P.S.- Kahalgaon (Shivnarayanpur), District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Harish Kumar, Advocate
	:	Mr. Bishwa Bijay Kumar, Advocate
For the Opposite Party/s	:	Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 26-10-2021 Heard Shri Harish Kumar, learned counsel, assisted by Shri Bishwa Bijay Kumar, learned counsel for the petitioners, and Shri Satyendra Prasad, learned A.P.P. for the State.

The petitioners are seeking anticipatory bail in connection with Kahalgaon (Shivnarayanpur) P.S. Case No. 251 of 2020 instituted for the offences under Sections 341, 323, 504, 506, 324, 307, 147 and 379 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioner no. 2 is a person with clean antecedent while against petitioner no. 1, there is one criminal case in which he has been



enlarged on bail.

Learned counsel for the petitioners further submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that there was a fight between the family of the petitioners and the informant in which it is alleged that Dhananjay Goswami was assaulted by petitioner no. 2 i.e. Gopal Goswami by sword leading to injury on his head and Kamleshwari was assaulted by petitioner no. 1 by sword leading to injury just below the right eyebrow.

Learned counsel for the petitioners submits that from bare perusal of the injury report it would manifest that the injuries inflicted on Dhananjay and Kamleshwari are simple in nature caused by hard and blunt substance, as such the allegations that both of them were assaulted by the petitioner by sword does not get corroborated.

Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case in it's totality, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of ten weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand)



each with two sureties of the like amount each to the satisfaction
of learned C.J.M., Bhagalpur in connection with Kahalgaon
(Shivnarayanpur) P.S. Case No. 251 of 2020 subject to the
conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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