

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40144 of 2022

Arising Out of PS. Case No.-211 Year-2022 Thana- LAKHISARAI District- Lakhisarai

1. ANIL KISHORE GOSWAMI @ ASHISH KISHORE GOSWAMI S/o- Ganesh Goswami Resident of Naya Bazar, (Side of Viswa Bhati), P.S.- Kabaiya, District - Lakhisarai.
2. Bikki Goswami S/o- Nand Kishor Goswami Resident of Naya Bazar, Pachna Road, Ward No. 16, P.S. -Kabaiya, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Raju
For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 30-01-2023 At the outset, learned counsel for the petitioners has filed a supplementary affidavit in Court today itself.

Let the same be kept on record.

In paragraph no.2 of the supplementary affidavit, it is stated that mistake occurred in impugned order dated 21.06.2022 on account of misconception mentioned in para no.9 of the bail petition filed before the Sessions Judge, has been corrected by order dated 19.01.2023, on a petition filed on behalf of the petitioners.

Heard both sides.

The petitioners apprehend their arrest in connection with Lakhisarai (Kabaiya) P.S. Case No.211 of 2022, registered



for the offences punishable under Sections 285, 286 and 188 of the Indian Penal Code and Sections 3/5 of the Explosive Substance Act.

11 cartons and 3 cartons of crackers respectively have been recovered from the second floor of the shop of the petitioners.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that all Sections of the Indian Penal Code are bailable.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners and submitted that the petitioners have no licence for keeping or selling the crackers from their shops.

Taking into consideration the fact that the petitioners have got no criminal antecedent, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No.211 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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