

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61546 of 2022

Arising Out of PS. Case No.-145 Year-2017 Thana- NAGAR District- Vaishali

GOLU GOSHWAMI @ SAURAV GOSHWAMI @ GOLU KUMAR, S/O Jai
Prakash Goswami, R/O Village- Makra, P.S- Nayagaon, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 06-02-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Hajipur Town
P.S. Case No. 145 of 2017 registered for the offence punishable
under Sections 302, 394 and 411 of the Indian Penal Code and
Section 27 of the Arms Act.

The informant's son and staff were on their way on a
motorcycle after making some collection of dues when they have
been shot at. The informant's son has succumbed to the injuries.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR. The petitioner, on account of his
antecedents, has been dragged in this case by inserting his name in
the confessional statement of co-accused Ankit Goswami recorded
while in Police custody. Other than the unreliable statement of co-
accused in custody, there is no cogent material to connect the
petitioner with the offence. The co-accused Ankit Goswami has been
allowed bail in *Cr. Misc. No. 56586 of 2017*. Other co-accused



person namely Sonu has also been allowed bail in *Cr. Misc. No. 48015 of 2022*. The petitioner is in custody since 30.06.2022. Moreover, investigation is also complete.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, nature of accusations against unknown persons, the period of custody and claim based on parity, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Hajipur Town P. S. Case No. 145 of 2017, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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