

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1923 of 2023

Arising Out of PS. Case No.-179 Year-2022 Thana- BARACHATTI District- Gaya

1. UTTAM GOSAI @ UTTAM GOSWAMI SON OF SURESH GOSAI R/O VILL.- RAJOUNDHA, P.S.- MOHANPUR, DISTT.- GAYA
2. GANESH YADAV @ GANESH KUMAR SON OF KAMESHWAR YADAV R/O VILL.- RAJOUNDHA, P.S.- MOHANPUR, DISTT.- GAYA
3. BIRU KUMAR @ BIRU PASWAN SON OF KRISHNA PASWAN R/O VILL.- RAJOUNDHA, P.S.- MOHANPUR, DISTT.- GAYA
4. SANJAY KUMAR @ SANJAY YADAV SON OF DOMAN YADAV R/O VILL.- RAJOUNDHA, P.S.- MOHANPUR, DISTT.- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan
For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 16-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners apprehend their arrest in connection with Barachatti (Mohanpur) P.S. Case No.179 of 2022 registered under Section 307 of the Indian Penal Code and other allied sections of the I.P.C.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that similarly situated co-accused person has already been granted anticipatory bail by a



coordinate Bench of this Court vide order dated 07.11.2022 passed in Cr.Misc.No.39596 of 2022 (Annexure 3).

Having considered the above facts and circumstances of the case as well as the submissions advanced on behalf of the parties, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M., Sherghati, Gaya in connection with Barachatti (Mohanpur) P.S. Case No.179 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall



verify the criminal antecedent of the petitioners and in case at any stage it is found that that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(Arvind Srivastava, J)

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