

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81623 of 2023

Arising Out of PS. Case No.-793 Year-2023 Thana- FORBESGANJ District- Araria

1. Dhirendra @ Birendra Goswami Son Of Indra Goswami R/O Vill - Matiyari, Ward No. 07, Goswami Tola, P.S. - Forbesganj, Distt. - Araria
2. Naresh Goswami Son Of Suren @ Surendra Goswami R/O Vill - Matiyari, Ward No. 07, Goswami Tola, P.S. - Forbesganj, Distt. - Araria
3. Leela Devi @ Sita Devi Wife Of Birendra Goswami R/O Vill - Matiyari, Ward No. 07, Goswami Tola, P.S. - Forbesganj, Distt. - Araria
4. Geeta Devi Wife Of Suren Goswami R/O Vill - Matiyari, Ward No. 07, Goswami Tola, P.S. - Forbesganj, Distt. - Araria
5. Botla @ Ajay Goswami Son Of Birendra Goswami R/O Vill - Matiyari, Ward No. 07, Goswami Tola, P.S. - Forbesganj, Distt. - Araria
6. Shanti Devi Wife Of Kritya Nand Goswami R/O Vill - Matiyari, Ward No. 07, Goswami Tola, P.S. - Forbesganj, Distt. - Araria
7. Nitya Nand Goswami Son Of Kritya Nand Goswami R/O Vill - Matiyari, Ward No. 07, Goswami Tola, P.S. - Forbesganj, Distt. - Araria
8. Dhananjay Goswami Son Of Birendra Goshwami R/O Vill - Matiyari, Ward No. 07, Goswami Tola, P.S. - Forbesganj, Distt. - Araria
9. Jitan @ Jitendra Goswami Son Of Yogendra Goshwami R/O Vill - Matiyari, Ward No. 07, Goswami Tola, P.S. - Forbesganj, Distt. - Araria
10. Sanjay Goswami Son Of Birendra Goswami R/O Vill - Matiyari, Ward No. 07, Goswami Tola, P.S. - Forbesganj, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2023 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners are apprehending their arrest in a

case registered for the offences punishable under Sections 147,

148, 149, 341, 342, 323, 324, 325, 307, 354B, 337, 338, 353,



332, 333, 504 and 506 of the Indian Penal Code and Section 45 of the Bihar Prohibition and Excise Act pending in the learned court below.

3. Allegation against all the accused persons including the petitioners is that they created hindrance in the police work and assaulted them with *lathi* and *danda*.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioners. He submits that there is no specific overt act against the petitioners. He further submits that similarly situated other co-accused person has already been granted bail by a bench of this Court vide order dated 12.12.2023 passed in Cr. Misc. No. 78865 of 2023. He further submits that petitioners have got no criminal antecedent except petitioner no.5 who has got one criminal antecedent as stated in para-3 of the bail application.

5. Petitioners are agreed to deposit a sum of Rs. 5,000.00 (Rupees Five Thousand) each in the account of Mahavir Cancer Sansthan, bearing Account No. 3332964762, IFSC Code: CBIN0282779 (fifth character is zero), Central Bank of India, Chitkohra Branch.



6. Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Forbesganj P.S. Case No.793 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further conditions:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioners will not indulge himself in any similar offence till conclusion of the trial.

7. The bail bonds of the petitioners shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the account of Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

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