

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43233 of 2024

Arising Out of PS. Case No.-16 Year-2024 Thana- JAMUI District- Jamui

1. Dinesh Goswami S/o Late Musho Goshwami R/o vill - Suggi, P.S. - Jamui, Distt. - Jamui
2. Gopal Goswami S/o Dinesh Goswami R/o vill - Suggi, P.S. - Jamui, Distt. - Jamui
3. Surjeet Goswami S/o Dinesh Goswami R/o vill - Suggi, P.S. - Jamui, Distt. - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioners; learned counsel for the informant and learned A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Jamui P.S. Case No. 16 of 2024 dated 10.01.2024, instituted for the offence punishable under Sections 341, 323, 324, 307, 379, 504, 120 (B)/34, 506 of the Indian Penal Code.

3. The prosecution case, in short, is that, informant was at his house, in the meanwhile, petitioners with other co-accused persons came at the house of the informant with various weapons with intention to kill him. Gopal Goswami (petitioner no. 2) gave a javelin blow over the legs of Rambhajan Goswami



(father of the informant), causing cut injury on his leg and blood was oozed out. Dinesh Goswami (petitioner no. 1) hit upon the back of Rambhanjan Goswami by lathi and when informant came to save his father, Surjeet Goswami (petitioner no. 3) assaulted with a brick over the ear of informant, causing injury in ear to him. It is further alleged that Dinesh Goswami snatched a gold chain from the neck of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that both the parties are agnates. It is further stated that the allegation levelled against the petitioners do not corroborate with the injury report. The doctor was of the opinion that the grievous injury sustained by the father of the informant on his leg was caused by hard and blunt substance. The other two injuries received by informant and his father is said to be simple in nature. It is next submitted that Jamui P.S. Case No. 85 of 2022 was filed against all the petitioners under Sections 147, 148, 149, 323, 324, 337, 427, 307, 426 and 504 of the Indian Penal Code in which they have been acquitted on 06.05.2024. Lastly, it has been submitted that the petitioners have one criminal case against them.

5. Learned A.P.P. for the State and learned counsel for



the informant vehemently opposed the prayer for bail of the petitioners and submitted that there is a specif allegation against the petitioners of assault.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Jamui P.S. Case No. 16 of 2024, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jamui, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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