

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9119 of 2025

Arising Out of PS. Case No.-355 Year-2024 Thana- CHENARI District- Rohtas

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1. Santosh Goswami @ Santosh Kumar Goswami S/o- Bechan Goswami @ Bechan Gosai Village- Chenari PS-Chenari District- Rohtas
 2. Manoj Goswami S/o- Bechan Goswami @ Bechan Gosai Village- Chenari PS-Chenari District- Rohtas
 3. Bijay Goswami S/o- Bechan Goswami @ Bechan Gosai Village- Chenari PS-Chenari District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-03-2025 Heard Mr. Bhaskar Shankar, learned counsel for
the petitioners and Mr. Harendra Prasad, learned Additional
Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Chenari P.S. Case No. 355 of 2024, F.I.R. dated 21.10.2024 for the offences punishable under Sections 118(2), 303(2), 191(2), 190, 115(2), 352, 351(2) of BNS, 2023.

3. According to prosecution case, these petitioners along with other accused persons armed with lathi, garasa and knife surrounded the shop of the informant and started looting. On protest by one employee, namely, Ravi Ranjan, they brutally



assaulted him and have also assaulted the informant and fled away taking Rs. 5,000/- from the shop.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. He further submits that there is case and counter case between the parties. He further submits that although the petitioners are named in the F.I.R but there is no specific allegation of assault or overt act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners. He further submits that the similarly situated co-accused persons, namely, Manish Goswami, Anshu Goswami and Mantu Goswami have been granted anticipatory bail by the learned Court below and the bail application of these petitioners were rejected on the ground that they have criminal antecedent.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that petitioners carries four criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioners are on bail in three cases out of four and in one case, final form has been submitted in favour of the petitioners.



6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Rohtas at Sasaram in connection with Chenari P.S. Case No. 355 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. 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 bond shall be cancelled by the Court below.

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

iii. 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 the petitioners have concealed their



criminal antecedent, the court below shall take step for cancellation of bail bond 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.

(Rajesh Kumar Verma, J)

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