

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84420 of 2024

Arising Out of PS. Case No.-353 Year-2023 Thana- UDAKISHUNGANJ District-
Madhepura

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Satto Goswami S/O Late Sukhdev Goshwami R/o - Pipra Karauti, Ward
No.01, P.S - Udakishunganj, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-03-2025 Heard Dr Sanjay Kumar Singh, learned counsel for
the petitioner and Mr. Jitendra Kumar Singh, learned APP.

2. The petitioner is apprehending his arrest in connection with Udakishunganj P.S. Case No. 353/2023 for the offence punishable under sections 302, 120(b) and 506 of the Indian Penal Code and Section 27 of the Arms Act lodged on 16.11.2023 by the informant, Bechan Goswami.

3. As per the prosecution story, the informant alleged that while his son was going towards field, the accused persons including the petitioner herein surrounded him and on the order of Pawan Goswami, Chandan and Natwar Choudhary opened fire, causing injury to him. He was taken to Udakishunganj hospital and then to Madhepura but was declared dead. Accordingly, the FIR.



4. Learned counsel for the petitioner submits that the FIR would clearly show that specific allegation of firing is on Natwar Chaudhary and Chandan which resulted into the death. Petitioner has been named as the member of the mob and he do not have any criminal antecedent and Rinki Devi and others who were also part of the mob have been extended relief in Cr. Misc. No. 27599 of 2024 vide an order dated 21.05.2024.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that all of them surrounded the informant's son whereafter the killing took place.

6. Taking into account the aforesaid fact as also that the specific allegation is against Natwar Choudhary and Chandan, this petitioner has no criminal antecedent, FIR lodged, he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1, Madhepura in connection with Udakishunganj P.S. Case No. 353/ 2023 subject to condition as laid down under Section



438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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