

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46485 of 2017

Arising Out of PS.Case No. -139 Year- 2016 Thana -BHELDI District- SARAN

=====

Ritesh Tiwari S/o Late Janardan Tiwari R/o Village - Paiga, P.S. - Bheldi,
Distt. - Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate.

For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 3 31-10-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Bheldi P.S.
- Case No. 139 of 2016 instituted for the offence under Sections
341, 323, 324, 307, 379 and 504/34 of the Indian Penal Code.
- Learned counsel for the petitioner has submitted that
prior to institution of the instant case, the petitioner has filed
Bheldi P.S. Case No. 138 of 2016 against the informant and other
persons named in that case. In the instant case there is allegation
against the petitioner of assaulting the informant on his head with
Farsa. It is further alleged that petitioner gave second blow
causing injury on forehead (*Lalat*) of the informant. The son of the
informant came to rescue him then he was also assaulted by the
petitioner on his head with *Farsa*. It has further been submitted



that fighting took place from both sides in which both sides have sustained injuries. The injury sustained on the person of petitioner's side has been enclosed as Annexure-3.

Case diary has been received and the injury report of the informant and his son are available in the case diary.

The learned A.P.P. has submitted that one lacerated wound has been found on the forehead of the informant measuring 3" long x $\frac{1}{4}$ " x $\frac{1}{4}$ " deep and opinion with regard to the aforesaid injury was kept reserved. The Doctor has found injury to be caused by hard and blunt object. Similarly, one lacerated wound on scalp measuring 1" x skin deep has been found on the person of the son of the informant and opinion with regard to that injury has been kept reserved.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Bheldi P.S. Case No. 139 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XII, Saran at Chapra, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further



conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

U		T	
---	--	---	--

