

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4921 of 2017

Arising Out of PS.Case No. -124 Year- 2012 Thana –JOKIHAT (MAHALGAON) District-
ARRARIA

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1. Kishan Lal Tatma, S/o Late Jhabroo Tatma,
2. Mano Devi, W/o Kishan Lal Tatma,
Both are resident of Village- Mahalgaon, P.S.- Mahalgaon, District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Naushad Uzzoha, Advocate.

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 14-02-2017 Heard learned counsel for the petitioners and the

State.

The petitioners seek anticipatory bail in a case
instituted for the offence under Sections 302, 354 and 506/34 of
the Indian Penal Code.

It has been submitted that the informant alleged that
about eight years two months ago, i.e. on 28.10.2003 during
family scuffle, the petitioners with other accused persons has
brutally assaulted her husband with fists and slaps and co-accused
Raju Tatma assaulted the husband of the informant on his Scrotum
due to which he got grievous injury and died. The case has been
registered after eight years i.e. in the year 2011 and 2012 vide



Jokihat (Mahalgaon) P.S. Case No. 72 of 2011 and 124 of 2012.

The Police have submitted final form in the case. Thereafter, cognizance has been taken by the learned Magistrate under Section 302 and other allied Sections of the Indian Penal Code.

From the written report itself, it appears that there is no allegation of overt act against the petitioners. It is mentioned in the written report itself that co-accused Raju Tatma assaulted on the Scrotum of the deceased.

Considering the facts and circumstances of the case, let the petitioners above named in the event of surrender within six weeks from the date of receipt of this order, in connection with Jokihat (Mahalgaon) P.S. Case No. 124 of 2012, shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Araria, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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