

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52468 of 2017

Arising Out of PS.Case No. -133 Year- 2017 Thana -MAJORGANJ District- SITAMARHI

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1. Janardan Thakur, S/o Ram Deo Thakur, R/o Village- Bahera, P.S.-
Mejarganj, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 09-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Mejarganj P.S.**

Case No.133 of 2017 instituted for the offence under Section(s)
307 and other allied Sections of Indian Penal Code.

There is allegation against this petitioner of
assaulting the Informant with spade on his head.

Counsel for the Informant has submitted that both
parties are *Gotiyas* and there is land dispute between the parties.
Counter case has been lodged by the aunt of this petitioner,
namely, Minu Devi, who also received injuries and after
treatment she filed case vide Mejarganj P.S. Case No.275 of 2017
against the Informant and others. In the instant case, doctor has
found lacerated wound on occipital and parietal region caused by
hard and blunt object.



In this manner, there is case and counter case between the parties and both sides have sustained injuries.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Mejarganj P.S. Case No.133 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, I, Sitamarhi**, 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.

(Sanjay Priya, J)

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