

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48265 of 2017

Arising Out of PS.Case No. -190 Year- 2017 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Chhathu Raut @ Chathu Das Son of Late Sukhal Raut, R/o Village- Math
Lohiyar, Sahmalwa Tola, P.S.- Harsidhi, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 24-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Harsidhi P.S. Case No.
190 of 2017 instituted for the offence under Section-379 & other minor
Sections of the Indian Penal Code.

It has been submitted that occurrence has taken place due to
land dispute. The petitioner is 70 years old.

As per allegation in the written report, the petitioner
assaulted the wife of the informant with farsa on head.

The case diary has been received. The injury report is
available in the case diary wherein the doctor has found one incised
wound over the head of wife of the informant and one tenderness over
the right elbow.

From the injury report itself, it appears that there is no
repetition of blow by the petitioner.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Harsidhi P.S. Case No. 190 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran subject to condition as laid down u/S 438(2) of the 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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