

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54723 of 2017

Arising Out of PS.Case No. -161 Year- 2017 Thana -PALASI District- ARRARIA

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Md. Tarique, Son of Md. Ayub, residents of Village Dighi, Police station
Palasi, District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Nath Dubey, Advocate.

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 28-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Palasi P.S. Case No. 161 of 2017** instituted for the offence under Sections 341, 323, 325, 307, 379 and 506 of the Indian Penal Code.

The allegation against the petitioner in the written report is of assaulting the informant with *Farsa* on her head.

Learned counsel for the petitioner has submitted that there is case and counter case between the parties. It has further been submitted that the informant and her family members brutally assaulted the petitioner and others for which First Information Report has been lodged vide Palasi P.S. Case No. 162 of 2017 and to save skin from that case, the informant has lodged the instant case.

Case diary has been received.

The learned A.P.P. after perusing the case diary has



submitted that injury found on the person of the injured are simple in nature.

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 **Palasi P.S. Case No. 161 of 2017**, 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, Araria**, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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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