

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49247 of 2017**

Arising Out of PS.Case No. -232 Year- 2017 Thana -JOKIHAT District- ARRARIA

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1. Rajesh Tatma @ Rajesh Sharma, S/o Munshi Tatma, R/o Village-  
Domahana, P.S.- Mahalgaon, District- Araria.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

6/ 20-03-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Jokihat**  
**(Mahalgaon) P.S. Case No.232 of 2017** instituted for the  
offence under Section(s) 341, 323, 324, 354-B, 379, 504, 506/34  
Indian Penal Code.

It has been submitted that there is case and counter  
case between the parties. Mother of this petitioner has lodged  
Jokihat (Mahalgaon) P.S. Case No.217 of 2017 for the same date  
of occurrence against the informant and his family members.

In the instant case, allegation against this petitioner  
is that he assaulted the informant with *Dabiya* on the head.

Injury report is available in the case dairy, wherein,  
doctor has found one lacerated wound at occipital region of size  
2" x ¼" x bone deep.



In the written report, allegation is that the petitioner assaulted with *Dabiya*, but the injury is said to have been caused by hard and blunt substance.

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 **Jokihat (Mahalgaon) P.S. Case No.232 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 the **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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