

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48255 of 2018

Arising Out of PS. Case No.-153 Year-2018 Thana- JAGDISHPUR District- Bhagalpur

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1. Kailash Tanti, Son of Goddo Tanti,
 2. Pritam Kumar, Son of Kailash Tanti, Both are resident of Village- Navtolia, P.S.- Jagdishpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-09-2018 Heard learned counsel for the petitioner and learned counsel for the State.

Learned counsel for the petitioner submits that petitioner no. 1 Kailash Tanti has been arrested and sent to judicial custody, hence this bail petition with regard to petitioner no. 1 Kailash Tanti, has become infructuous and he is not pressing the bail application of petitioner no. 1.

The petitioner apprehends his arrest in connection with **Jagdishpur P.S. Case No. 153 of 2018** registered for the offence punishable under Section 341, 323, 307, 354A, 504/34 of the Indian Penal Code.

Allegation against the petitioner is of assaulting the Informant on account of her Goat grazing the field of the



petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to land dispute. It has been further submitted that there is no specific overt act alleged against the petitioner. The injuries are simple in nature. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, **let the petitioner no. 2 Pritam Kumar** be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **CJM, Bhagalpur**, in connection with **Jagdishpur P.S. Case No. 153 of 2018**, subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate 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 sufficient to cancel his bail bond.
- (3) If the 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.

(S. Kumar, J)

ranjan/-

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