

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3395 of 2018

Arising Out of P.S.Case No. -312 Year- 2017 Thana -JOKIHAT District- ARRARIA

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Dinesh Tatma S/o-Late Karam Lal Tatma Resident of Village-Dhobiniya,
P.S. Jokihat, District-Araria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Naushad Uzzoha, Advocate

For the Opposite Party : Smt. Reena Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 05-02-2018

Heard.

The petitioner apprehends arrest in connection with Jokihat P.S.Case No.312 of 2017 registered for an offence under Section 379 and other Sections of the IPC.

The allegation as per written report submitted to Jokihat P.S. is that when the informant was travelling by a tempo, this petitioner intercepted and pulled her down and gave several dagger blow on her stomach and snatched her ornaments and articles.

It has been submitted that the petitioner and the informant are resident of same place and on account of land dispute, informant has lodged this case. The petitioner had given earnest money for purchasing land from the husband of the



informant. The informant neither returned the money nor executed the sale deed in favour of the petitioner. The petitioner filed a complaint case no.940 of 2017 on 09.05.2017. After institution of said complaint case, the informant in order to grab the money has lodged the present case after one month of the alleged occurrence. There is also inordinate delay in lodging of the FIR. Learned counsel referred to impugned order, whereunder his anticipatory bail has been rejected to show that in spite of several attempt, the I.O. did not produce any injury report which suggests that the informant did not sustain any injury. The petitioner has clean antecedent.

The learned APP opposed the submissions.

Considering the aforesaid facts and circumstances, the prayer for anticipatory bail is allowed. Let the above named petitioner in the event of his arrest or surrender before the court below within six weeks from today 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 CJM, Araria in connection with Jokihat P.S.Case No.312 of 2017 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable



property within the jurisdiction of the concerned Court.

(Sanjay Kumar, J)

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