

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7526 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -CHANAN District- LAKHISARAI

Munna Tanti Son of Late Sukuldeo Tanti Resident of village -
Ghoshikundi, P.S. Chanan, District - Lakhisarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Manoj Kumar 1 (App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 16-03-2016 Heard learned counsel, appearing on behalf of the
petitioner, and the learned Addl. Public Prosecutor, appearing on
behalf of the State.

This application for grant of anticipatory bail arises out of
Chanan P.S. Case No. 12/2016, disclosing offences under sections
341, 323, 504, 307/34 of the Indian penal Code.

It is alleged against the petitioner that he had assaulted
the informant with the butt of country made gun.

Learned counsel for the petitioner submits that no offence
under section 307/34 of the Indian Penal Code has been made out
on the basis of the allegation, as contained in the First Information
Report, against the petitioner as, had the petitioner intended to kill
the informant, he would not have assaulted him with the butt of
the gun.

I find substance in the submission so advanced. This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate 1st, Lakhisarai in Chanan P.S.Case No. 12/2016, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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