

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21760 of 2019

Arising Out of PS. Case No.-423 Year-2018 Thana- DHANARUA District- Patna

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TANNU PRASAD @ TANNU KUMAR Son of Shri Bijendra Prasad
Resident of Village- Dudhara, P.S.- Dhanaarua, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Mukund

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 18-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 323, 324, 379, 447/34 IPC and Section 27 of the Arms Act registered in connection with Dhanarua P.S. Case No. 423 of 2018.

3. It is submitted that the petitioner has been falsely implicated on the accusation of firing and caused injury to the informant Munna Kumar as well as to the brother of the petitioner. As a matter of fact firing was made by the informant's brother Lakshman Yadav and when the informant attempted to stop Lakshman Yadav from firing he was injured in his hand in the process and the bullet also caused injury to the brother of the petitioner. Other co-accused persons have been granted anticipatory bail by the learned Court below. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appear and has been heard.

5. Learned APP has not pointed to any objective material from the case diary to indicate that the petitioner was armed or had fired upon the informant.

6. Be that as it may, in the event of the petitioner's arrest or



surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned SDJM, Masaurhi, in connection with Dhanarua P.S. Case No. 423 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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