

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55613 of 2018

Arising Out of PS. Case No.-321 Year-2002 Thana- LAKHISARAI District- Lakhisarai

Tuntun Singh @ Tuntun Prasad Singh son of Chand Singh resident of Village
Lodiya P.S. Lakhisarai, District Lakhisarai.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar
For the Opposite Party/s : Smt Renu Kumari

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

5 01-02-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Lakhisarai P.S. Case no. 321 of 2002, registered under
Sections 147, 148, 448, 307 of the Indian Penal Code and
Section 27 of the Arms Act.

The accusation is that on 07.12.2002, petitioner
along with seven other named in the F.I.R. all of sudden
reached at the door of the informant Binod Kumar having
armed with Rifle, Pistol etc. in their hands and surrounded him.
When father of the informant raised alarm, then two unknown
persons pointed rifle on the chest of father of the informant,
then Panchu Singh fired upon the informant, which hit at the



chest of the informant. When informant fell down then Ranjeet Singh fired upon the informant, which caused injury at his left palm, Niranjana Singh @ Gopesh also fired causing injury at the palm of the informant.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that while petitioner is named in the F.I.R. along with nine others, but specific allegation is against Panchu Singh, Niranjana Singh and Ranjeet Singh, who caused firearm injury to the informant, but no overt act has been attributed against the petitioner nor any description has been made about having arm by the petitioner at the time of occurrence. Further submission is that, in fact, petitioner is co-villager of the informant and due to dirty village politics, the petitioner has also been implicated in this case and petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. First Class, Lakhisarai in connection with Lakhisarai P.S. Case No. 321 of



2002, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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