

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79838 of 2019

Arising Out of PS. Case No.-194 Year-2018 Thana- BUNIYAD GANJ District- Gaya

RAJU TANTI @ RAJU KUMAR Son of Moti Tanti Resident of Yadav Toli,
Manpur Gopalganj Road, P.S.- Buniyad Ganj, District- Gaya, Pin- 823003,
Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Kumar

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Buniyad Ganj P.S. Case No. 194 of 2018 registered under Sections 341, 323, 307, 379, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the F.I.R. has been lodged after the delay of 21 days and no reasonable explanation has been given as to delay in lodging the First Information Report. Learned counsel submits that the allegations are against the co-accused Santosh Yadav who had assaulted the informant by the butt of the pistol, however petitioner has no criminal antecedent.



Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case wherein it is not controverted on behalf of the State that the thrust of the allegations are against the co-accused Santosh Yadav who had assaulted the informant by butt of his pistol on his head and had caused injuries and further that there is no allegation of causing assault against this petitioner and the petitioner has no criminal antecedent, the said Santosh Yadav had already been granted regular bail by the learned court below and further that the F.I.R. has been lodged 21 days after the alleged occurrence, let the above-named petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – VIII, Gaya, in connection with Buniyaganj P.S. Case No. 194 of 2018, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;



(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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