

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3198 of 2020

Arising Out of PS. Case No.-122 Year-2019 Thana- JAMHOR District- Aurangabad

Tapu Singh aged about 33 Years, Male, Son of Arjun Singh, resident of village- Manjurahi, P.S.- Muffasil, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Jamhore P.S. Case No. 122 of 2019 registered for the offence punishable under Sections 341, 323, 504, 506/34 of the Indian Penal Code, 1860.

The allegation against the petitioner as per the First Information Report is that on the date of occurrence while the informant was at his Tea Shop with his brother, the petitioner along with other unknown accused persons arrived at the shop and upon seeing the pistol in his hand the informant and his brother fled away, however, the petitioner fired from his gun in the air. It has further been alleged that petitioner used to threaten the informant on phone inasmuch as the informant was working



with the petitioner but he refused to carry out his illegal work as such, the petitioner started threatening the informant with dire consequences.

Mr. Sanjay Kumar, learned counsel appearing for the petitioner submits that petitioner has falsely been implicated in this case inasmuch as the informant was a tractor driver of the petitioner and had taken a sum of Rs. 15,000 /- as advance from the petitioner and for the last ten days from the date of occurrence he refused to work with him and when the petitioner demanded his advance money back, he has falsely been implicated in the present case. Learned counsel further submits that the allegation of firing is palpably false inasmuch on the place of occurrence no used cartridge has been recovered by the prosecution.

Having heard learned counsel for the parties and taking into consideration the fact that no injury has been caused due to alleged firing made by the petitioner and no used cartridge has been recovered by the prosecution, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks from the date of receipt of a copy of this order, 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 learned Chief Judicial Magistrate, Aurangabad in connection with Jamhore P.S. Case No. 122 of 2019, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

(Anil Kumar Sinha, J)

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