

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46040 of 2023

Arising Out of PS. Case No.-109 Year-2022 Thana- KINJAR District- Jehanabad

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TUNTUN YADAV @ TUNTUN KUMAR SON OF FAKIRCHAND YADAV
@ FAKIRCHAND SINGH RESIDENT OF VILLAGE TEKRI, PS KINJER,
DISTRICT- ARWAL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate.

For the Opposite Party/s: Mr. Ram Naresh Ray, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

2. Petitioner apprehends his arrest in connection with
Kinjer P.S. Case No. 109 of 2022 dated 04.11.2022 registered
for the offence punishable under Sections 341, 323, 307, 325,
337, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the First Information Report, scuffle took
place between the family of the petitioner and children for fire
cracker, for which, case and counter case have been lodged by
both the parties. The allegation against the petitioner is that he
along with other co-accused persons assaulted the husband and
other family members of the informant by means of *lathi*,
danda, iron rod etc.



4. Learned counsel for the petitioner submits that both the parties are neighbours and quarrel between them had taken place due to fire cracker being used by the children. He further submits that there is four days delay in lodging the First Information Report inasmuch as the occurrence has taken place on 30.10.2022 but the FIR has been lodged on 4.11.2022. A counter case has also been lodged by the side of the petitioner against the informant and his family members bearing Kinjer P.S. Case No. 110 of 2022.

5. Referring to Annexure-4 learned counsel for the petitioner submits that the injury caused to the family of the informant and others are simple in nature whereas the side of the petitioner has also sustained injury which would be evident from Annexure-2.

6. Regards being had to the submission made by the parties and taking into consideration the fact that there is case and counter case between the parties, both the parties are neighbours, the occurrence had taken place on a trivial issue of fire crackers and injuries have been sustained by both the parties, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner,



above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Arwal, in connection with Kinjer P.S. Cse No. 109 of 2022, 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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