

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63361 of 2022

Arising Out of PS. Case No.-132 Year-2022 Thana- ATRI District- Gaya

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Tanik Singh @ Tanik Prasad Singh, S/o Late Jamuna Singh Resident of
village- Pandey Bigha, P.S.- Nardiganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar, Advocate

For the Opposite Party/s : Mrs.Rina Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 16-05-2023 Heard Mr. Satya Prakash Parasar, learned counsel

appearing on behalf of the petitioner and Mrs. Rina Sinha,

learned A.P.P. for the State.

2 The petitioner apprehends his arrest in
connection with Atri P.S. Case No. 132 of 2022, registered
under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379,
506 and 506 of the Indian Penal Code and Section 27 of the
Arms Act.

3. The prosecution case, in brief, is that on
09.04.2022 at about 9.15 PM all the accused persons variously
armed with weapon came in the house of informant and started
assaulting the family members of the informant. In course of
occurrence, Kanhaiya Kumar and Angad Kumar snatched gold
chain and mangal sutra worth of Rs.50,000/- from the neck of
wife of informant.



4. Learned counsel appearing on behalf of the petitioner submitted that the F.I.R. is against named accused allegation is that because of informant petitioner has been put to loss of Rs. 50,000/-. The accused persons including the petitioner tried to grab Rs. 1,50,000/- from the informant by committing robbery. The petitioner has been implicated in a false case due to trade rivalry. He further submitted that the injury sustained by the informant side are simple in nature on the head.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation and the injury as well as criminal antecedent of the petitioner as stated in paragraph no.3 of the bail application, I am of the opinion that if the wife and son of the petitioner files an undertaking by way of filing affidavit before the learned court below that the petitioner will not indulge in any criminal act in future then in that case the petitioner who is a retired army man is directed to be released on pre-arrest bail, 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



learned Additional Chief Judicial Magistrate-XIII, Gaya in connection with Atri P.S. Case No. 132 of 2022, subject to further condition that he will appear before local Police Station ever week at 9.30 A.M., the SHO is directed to file monthly attendance report before the concerned S.P. of the district as well as subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Purnendu Singh, J)

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