

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71927 of 2022

Arising Out of PS. Case No.-405 Year-2020 Thana- BARH District- Patna

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Tunni Yadav S/O Maheshwar Yadav R/O Village- Hasanchak, P.S- Barh,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suraj Kumar, Advocate
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Barh P.S. Case No.405 of 2020, registered for offences under Sections 341, 323, 307, 504, 506 and 34 of the IPC and Section 27 of the Arms Act.

The allegation is regarding the accused persons having intercepted the informant while he was going to his field for sowing potato, whereupon the co-accused persons, namely, Satya Prakash and Vinod Yadav had exhorted to kill the informant, whereafter the co-accused person,



namely, Aman Kumar had fired from his arms resulting in the informant sustaining firearm injury.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having clean antecedent. The learned counsel for the petitioner has further submitted that as far as the petitioner is concerned, there is no allegation of him having fired at the informant, hence the petitioner is not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case as also taking into consideration the materials available on record as also considering the fact that there is no allegation qua the petitioner of him having engaged in any sort of overtact, I deem it fit and proper to direct for release of the petitioner on anticipatory bail.

Accordingly, the above named petitioner is directed to be released on anticipatory bail in the



event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Barh in connection with Barh P.S. Case No.405 of 2020, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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