

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37686 of 2024

Arising Out of PS. Case No.-421 Year-2023 Thana- NAWADA District- Nawada

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Tannu Kumar @ Rakesh Kumar S/o Late Gaukaran Singh R/o vill -
Gonawan, P.S. - Nawada Town, Distt - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 03-07-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Nawada Town Police Station Case No. 421 of 2023, disclosing offences under Sections 147, 148, 149, 323, 307, 504 of the Indian Penal Code and Section 27 of the Arms Act.
3. As per the prosecution case, on 10.03.2023, the petitioner along with other accused persons having lathi, danda and pistol in their hand came at the house of the informant, started abusing uncle of the informant and when the informant tried to intervene in the matter, all the accused persons became furious and one Mausam Kumar took out country made pistol from his waist and fired upon uncle



of the informant causing injury on the right palm of his uncle and thereafter, the petitioner fired with his country made pistol on the informant causing firearm injury on his left plam.

4. Learned Counsel for the petitioner submits that the petitioner is having no criminal antecedent and has falsely been implicated in this case due to land dispute. He further submits that the co-accused/Mausam Kumar against whom the same allegation of firing upon the uncle of the informant, has been granted anticipatory bail in ABP No. 1700 of 2023 (Annexure 5) by the learned Sessions Judge. Learned counsel next submits that the injury report shows that the injury caused to the informant is simple in nature and the doctor has not found any boney injury on the palm of the informant.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is having no criminal antecedent, there is land dispute between the parties and the injury caused to the informant is simple in nature, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.



7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on 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, Nawada, in connection with Nawada Town Police Station Case No. 421 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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