

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.78462 of 2024

Arising Out of PS. Case No.-122 Year-2024 Thana- CHARPOKHARI District- Bhojpur

Sonu Kumar @ Sonu Yadav S/o- Lal Biahri Yadav Resident of Semraw P.S- Charpokhari, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagadeo Choubey
For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 04-12-2024 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 Charpokhari Police Station Case No. 122 of 2024, dated 24.05.2024, disclosing offences punishable under Sections 341/323/307/379/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 24.05.2024, in the mid night, while the informant was sleeping in his house, who used to run a kiosk of departmental store in his house, heard the sound of knocking at the door and when he opened the door, he saw the petitioner, along with five other unknown person,



who asked the informant to provide cigarettes and when the informant refused to give cigarettes, the petitioner abused him and also resorted to firing upon him with his country-made pistol with intention to kill him. However, the bullet did not hit the informant.

4. Learned Counsel for the petitioner submits that both the parties are co-villagers and due to some village dispute, the petitioner has been made accused in the present case, no fire arm injury has been caused to the informant, as is evident from the First Information Report itself. Regarding criminal antecedents of the petitioner, learned Counsel submits that the occurrence has taken place on a trivial issue for giving the cigarettes. However, in future, if the petitioner is implicated in any other criminal offence of similar nature, his bail bonds, if he is granted bail in this case, shall be liable to be cancelled.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the bullet fired by the petitioner did not hit any person, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, 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, Bhojpur, at Ara, in connection with Charpokhari Police Station Case No. 122 of 2024, subject to the conditions (i) laid down under Section 438 (2) of the Code of Criminal Procedure and (ii) the petitioner shall not repeat similar type of offence in future and if any offence of similar nature is committed by him, the bail bond furnished in this case shall be liable to be cancelled.

6. This application is, accordingly, allowed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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