

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82392 of 2023

Arising Out of PS. Case No.-535 Year-2023 Thana- FATUA District- Patna

=====

Tuntun Kumar @ Tuntun Yadav Son Of Kamal Yadav @ Kamal Dev Yadav
Resident Of Village -RANIPUR Ps- Fatuha District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Mithlesh Kumar Khare

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. In the present case, the petitioner is apprehending arrest in connection with Fatuha P.S. Case No. 535 of 2023, registered on 15.07.2023 for the offences under Sections 323, 341, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, while the petitioner and other co-accused persons were quarreling with unknown persons, the informant intervened and tried to pacify the dispute, but the petitioner and other co-accused persons assaulted the informant with lathi and danda and also with the butt of the pistol. They also opened fire.

4. The learned counsel for the petitioner submits



that the petitioner is innocent and has been falsely implicated in this case. There is general and omnibus allegation against the petitioner and other co-accused persons. Both the informant and the petitioner are in same business and in the background of business rivalry, the present false case has been lodged. The injury report of the informant shows superficial and lacerated injury of size approximately 1/2" X 1/4". The petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the simple nature of injury of the informant, let the petitioner above named, in the event of arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna City/concerned court in connection with Fatuha P.S. Case No. 535 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Amrendra/-

U		T	
---	--	---	--

