

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57864 of 2025

Arising Out of PS. Case No.-362 Year-2023 Thana- MURLIGANJ District- Madhepura

Tuntun Kumar @ Tuntun Yadav S/o Jagdish Yadav R/o Village- Tamout
Parsa, P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rupesh Kumar, Advocate
	:	Ms. Laxmi Kumari, Advocate
For the Opposite Party/s	:	Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 21-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 379, 307, 354(A), 504, 506 and 34 of the Indian Penal Code.

3. The allegation in the First Information Report is of assaulting the informant and others causing injuries to them.

4. Learned counsel for the petitioner submits at the outset that the First Information Report has been lodged after a delay of three days inasmuch as, while the occurrence had taken place on 30.08.2023, the F.I.R. was lodged on 02.09.2023 for which no explanation has been tendered. Further, there is case



and counter case between the parties, the case lodged from the petitioner's side being Murliganj P.S. Case No.72 of 2023. So far as the allegation pertaining to the petitioner is concerned, it is stated that he had given a *Khanti* blow on the head of the informant, the injury report, which is a part of the case diary, indicates a lacerated wound with soft tissue swelling of scalp and the injury has not been indicated to be grievous in nature. It is submitted that the dispute had taken place at the spur of the moment on a petty issue of flowing of drain and with regard to the same a free fight took place between the parties, who are neighbours.

5. Learned APP for the State opposed the prayer for anticipatory bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the factum of delay in lodging the F.I.R., coupled with the fact that there is case and counter case between the parties and serious injuries not being caused to the informant and the injured Vinod Kumar, 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/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Murliganj P.S. Case No. 362 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, subject to further condition(s):

- “(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (ii) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required, failing which the prosecution will be at liberty to move cancellation of his bail bond.”

(Soni Shrivastava, J)

anand/-

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