

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48254 of 2014

Arising Out of PS.Case No. -80 Year- 2014 Thana -LAXMIPUR District- JAMUI

Nakul Tanti S/o Sri Saudagar Tanti Resident of Village Lathane, P.S. Jamui, District Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Dr.Ajit Kumar(App)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR
TRIVEDI
ORAL ORDER

3 24-03-2015 Heard learned counsel for the petitioner as well as learned A.P.P. for the State.

Admittedly, the name of the petitioner cropped up on account of inculpatory extra judicial confessional statement of co accused Ramchandra Tanti, who was apprehended by the prosecution party in an injured condition after indulged in encounter as well as from his possession, fire arm was also recovered. He disclosed the names of his associates including the petitioner, who had assembled for preparation to commit the crime. There happens to be the specific disclosure at the end that he along with this petitioner, Nakul Tanti, had just been released from jail about 4-5 days ago.

Regard being had to the facts and circumstances of the



case, petitioner Nakul Tanti, is directed to 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 S.D.J.M., Jamui, in Laxmipur P.S.Case No. 80/2014. However, perceiving the criminal antecedent being an accused in so many cases of more or less similar nature, as well as considering his villainous activities, I find justified to impose some sort of rigor because of the fact that at one occasion when the constitutional right of an accused has been duly acknowledged even during course of his judicial custody at pre trial stage, side by side constitutional right of a citizen to lead peaceful, fearless life has also to be duly acknowledged.

As such, one of the bailors shall be a government servant, regarding whose identity, the learned court below will ascertain before acceptance of bail bond as well as the petitioner will have his physical presence before Lakshmipur Police Station at every week and will file his attendance certificate before the learned S.D.J.M., Jamui till conclusion of the trial. In case there happens to be failure on the part of the petitioner, the bail bond will be deemed to be cancelled. Further more, the bailors will give undertakings regarding compliance of the conditions imposed by this Court. For proper compliance of order, the learned lower

court is directed to transmit a copy thereof to the Police Station concerned.

(Aditya Kumar Trivedi, J)

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