

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29304 of 2014

Arising Out of PS.Case No. -175 Year- 2014 Thana -KHAGARIA District- KHAGARIA

1. Ramchandra Tanti S/o Rameshwar Tanti Resident of Village Rani Sakarpura, P.S. Khagaria (Gangaur), District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Tiwary

For the Opposite Party/s : Mr. Rajendra Prasad Nat (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-01-2015 Heard the parties.

This is an application for anticipatory bail for the offence punishable under sections 147, 148, 149, 447, 452, 307 and 379 I.P.C and section 27 of the Arms Act.

Allegedly, the petitioner and other F.I.R. named accused persons after breaking opened the door of the informant entered into her house with other co-accused by making indiscriminate firing due to which she sustained severe fire arm injuries and this petitioner and co-accused Kailash Keshri committed theft of ornaments contained in a attaché and further they caused threat to withdraw the earlier murder case of husband of the informant otherwise to kill the entire family members.

Submission at the bar is of false implication and

further that against the petitioner there is no allegation for opening fire and the allegation of committing theft is super addition. No fire arm injury has been caused. The prosecution case appears not probable and reliable and further F.I.R. has been lodged after delay of two days.

The learned A.P.P. submits that the petitioner has also entered in the house of the informant.

In the facts and circumstances as stated above, considering that against the petitioner there is no allegation of opening fire and the allegation of committing theft appears super addition and as such the petitioner Ramchandra Tanti, in case of his arrest or surrender before the court below within two months, shall 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 C.J.M. Khagaria in Khagaria (Gangaur) P.S. case No. 175 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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