

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14298 of 2016

Arising Out of PS.Case No. -172 Year- 2007 Thana -GOGRI District- KHAGARIA

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Bhupa Tanti Son of late Kant Lal Tanti Resident of Village Rampur, PS
Gogri, District Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Shyam Kr. Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 12-05-2016 Heard the learned counsel for the petitioner and the

learned A.P.P representing the State.

The petitioner seeks bail in connection with S. C. No.
186 of 2011 arising out of Gorgi P.S. Case No. 172 of 2007
registered for the offences punishable under Section 302/34 of the
Indian Penal Code and Section 27 of the Arms Act.

Though the petitioner is named in the first information
report along with others but after investigation, the police found the
accusation untrue in respect of the petitioner and some others and
accordingly the petitioner and some others were not sent up for trial.
The accused persons who were charge sheeted were put on trial and
in that course, during evidence, the informant again named the
petitioner and other co-accused and accordingly a petition was
filed under Section 319 of the Code of Criminal Procedure, which
was allowed by the Trial Court and then the petitioner and

other were summoned under Section 319 of the Code of Civil Procedure.

Submission is that similarly situated co-accused Ramji tanti @ Ramji Ji Tanti and Ramroop Tanti @ Ramrup Tanti have already been allowed bail vide Criminal Misc. No. 22878 of 2015 and Criminal Misc. No. 52748 of 2015 and the petitioner is suffering in custody since 16.09.2015 and as such the petitioner also deserves sympathetic consideration to which the learned APP does not dispute.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IV, Khagariya in connection with Gorgi P.S. Case No. 172 of 2007, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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