

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52748 of 2015

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

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1. Ramroop Tanti @ Ramrup Tanti Son of Late Mahadeo Tanti Resident of
village - Rampur, P.S. Gogri, District - Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Surendra Pd.Singh(App)

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

3 08-02-2016 Heard learned counsel for the petitioner and learned

counsel representing the State.

Petitioner seeks bail in connection with Gogri P.S. Case
No. 172 of 2007 registered for the offences punishable under
Sections 302/34 of the Indian Penal Code and Section 27of 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. Some accused who were chargesheeted were put on trial
and in that course the informant again named the petitioner and
other co-accused and accordingly, a petition under Section 319

Cr.P.C. was filed which was allowed by the trial court and then the petitioner and others were summoned under Section 319 Cr.P.C.

Submission is that similarly situated co-accused Ramji Tanti @ Ramji Tanri has already been allowed bail vide Cr.Misc. No. 22878 of 2015 and the petitioner is suffering in custody since 16.07.2015 and as such the petitioner also deserves sympathetic consideration to which 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 Ad-hoc Additional Sessions Judge III, Khagaria in S.C. No. 186 of 2011 arising out of Gogri 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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