

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41514 of 2016

Arising Out of PS.Case No. -162 Year- 2016 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

=====

1. Deepak Tanti @ Deepak Kumar son of Preman Tanti resident of Village-
Amber, Sharistal, Post- Biharsharif, P.S.- Bihar, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhinay Raj

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 21-11-2016 Heard both sides.

The petitioner seeks bail in Bihar P.S. case No. 162
of 2016 under Section 302 and other Sections of the Indian Penal
Code.

The informant, mother of the deceased, alleged that
she went to the house of her daughter when she could not be able
to contact her daughter and found the petitioner and seven others
sitting on the roof. They disclosed that her daughter was inside the
room. The informant saw her daughter lying on the bed. She was
dead. The accused persons stopped the informant from informing
the police and they took away the dead body of deceased and
concealed the same in a maize field.



The learned counsel for the petitioner submits that petitioner is brother of Anandi Tanti, the husband of deceased. The deceased was strangled to death. There is no external injury. None of the witnesses stated that petitioner participated in the murder of the deceased. The petitioner is made accused only because he happens to be brother of the husband of the deceased.

On the other hand, the learned counsel for the informant as well as the learned Additional Public Prosecutor, vehemently, opposed the prayer for bail and submitted that from perusal of paragraph 3 of the case diary it would appear that police official after receiving information about the death of a woman came and apprehended Anandi Tanti and the petitioner. The petitioner is said to have disclosed along with Anandi Tanti that they killed the deceased and concealed her dead body. On such, the dead body of the deceased was recovered from a maize field situated behind the house of petitioner.

It appears that petitioner is brother of the husband of the deceased. The deceased got only one ligature mark around her neck. There is no evidence on record to show that petitioner also participated in the murder of the deceased. The petitioner is in jail since 27.04.2016.

Considering the facts aforesaid and the nature of

allegation made against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in Bihar P.S. Case No. 162 of 2016.

(Prabhat Kumar Jha, J)

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