

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.29147 of 2016**

Arising Out of PS.Case No. -263 Year- 2015 Thana -KHAIRA District- JAMUI

- =====
1. Rajendra Tanti
  2. Vijay Tanti @ Bijay Tanti both sons of Bhupal Tanti
  3. Vishal Tanti @ Bishal Tanti son of Rajendra Tanti
  4. Bhupal Tanti son of Late Latru Tanti, all resident of Village- Harni, P.S. Khaira, Dist- Jamui.

.... .... Petitioners

Versus

The State of Bihar

... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Prabhat Ranjan Singh

For the Opposite Party/s : Mr. Jagdhar Prasad

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**  
**SHARAN SINGH**  
**ORAL ORDER**

2 20-08-2016

Heard learned counsel, appearing on behalf of the petitioners, and the learned Additional Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Khaira P.S. Case No. 263/2015, disclosing offences under Sections 147, 148, 149, 341, 323, 324, 307, 504 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that the occurrence is said to have taken place on 18.11.2015, whereas the F.I.R. came to be registered on the basis of written report of the informant dated 13.12.2015, on 13.12.2015. He submits that civil dispute between the two families is the reason

behind lodging of the said F.I.R. The explanation that the matter was being attempted to be resolved through negotiation, which resulted into delay in lodging of the F.I.R., is not plausible.

Learned counsel for the petitioners appears to be right in his submission that undue delay in lodging of the F.I.R. creates serious doubts on the case of the prosecution.

This application is, accordingly, allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jamui in connection with Khaira P.S.Case No. 263/2015, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/ Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

Surendra/-

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