

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13528 of 2016

Arising Out of PS.Case No. -459 Year- 2015 Thana -BANKA District- BANKA

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Ashok Tanti, Son of late Singeshwar Tanti, resident of Village- Bhemiya,
P.S. Katoria, District- Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate.

For the Opposite Party/s : Mr. Vinod Shankar Modi, APP.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-05-2016

Heard the learned counsel for the petitioner as well
as the learned A.P.P for the State.

The petitioner seeks bail in connection with S.T.
No. 354/2015/Tr. No. 384/2016 arising out of Banka P.S. Case
No. 459 of 2015 registered for the offences punishable under
Sections 147, 148, 149, 447, 341, 323, 325, 307, 438, 427 and
506 of the Indian Penal Code, Section 27 of the Arms Act and
Section 17 of the C.L.A. Act.

Allegedly, the petitioner is not named in the first
information report and during investigation, it transpires that
during committing crime, the petitioner and others were involved.

Submission is of false implication and that no one
has seen and identified the petitioner at the time of occurrence.
Only on suspicion, he has been apprehended and his confession
has been made forcibly, statement of the witnesses got recorded

after 24 days of the occurrence which is not reliable. Similarly situated co-accused Harish Yadav, Birendra Kumar Yadav, Jai Ram yadav, Umesh Yadav, Anil Yadav, Bimal Yadav and Mangal Singh have been allowed bail and as such, the petitioner also deserves sympathetic consideration.

The learned A.P.P submits that the petitioner has got criminal antecedent also.

In the facts and circumstances stated above, the petitioner, above named, is also 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 District Judge-IV, Banka in connection with S.T. No. 354/2015/Tr. No. 384/2016 arising out of Banka P.S. Case No. 459 of 2015, 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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