

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29994 of 2017

Arising Out of PS.Case No. -52 Year- 2017 Thana -BALIA District- BEGUSARAI

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Kishore Tanti @ Kishmat Tanti Son of Anil Tanti, Resident of Village-
Sadanandpur, P.S.- Ballia, District- Begusar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indrajit Kumar

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 24-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
22.03.2017 in connection with Ballia P.S. Case No. 52 of 2017 for
offences punishable under Sections 323, 341, 379, 307, 504/34 of
the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he was at his house the petitioner along with three
persons variously armed with pistol and lathi came and abused.
The specific allegation upon the petitioner is that he gave Tengari
blow on the head of the informant.

It has been submitted by the learned counsel for the



petitioner that he is innocent, the matter related to property dispute, both were agnates and criminal case has been lodged by the petitioner's side on the same day regarding the same occurrence. He submits that charge-sheet has already been submitted and there is no allegation of tampering of prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the injury caused on the informant has been opined to be grievous in nature and it is on the vital part of the body.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Ballia P.S. Case No. 52 of 2017, pending in the court of learned Additional Chief Judicial Magistrate, Begusarai. However, the petitioner may renew prayer for bail after six months or after framing of charge, whichever is earlier.

Application is, accordingly, rejected.

(Nilu Agrawal, J)

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