

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54349 of 2017

Arising Out of PS.Case No. -182 Year- 2017 Thana -BAKHRI District- BEGUSARAI

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Dhaneshwar Prasad Tanti @ Dhaneshwar Tanti Son of Late Uchit Tanti,
R/o Village- Udanchak Ratan, P.S.- Bakhari, District- Begusarai at
presently posted as an Assistant teacher in Middle School, Ratan , Block-
Bakhari, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar-1

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 06-12-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Sessions
Trial No. 497 of 2017 arising out of Bakhari P.S. Case No. 182 of
2017 dated 03.07.2017 instituted for the offence under Sections
302 and 34 of the Indian Penal Code.

The brother of the informant was found dead in the
house of one Mahesh Tanti. It has been alleged in the FIR that for
the last one year, the deceased (brother of the informant) had been
in an affair with the daughter of aforesaid Mahesh Tanti. As such,
the informant has suspected that the deceased was killed by the
petitioner who is the brother of aforesaid Mahesh Tanti and two
others viz. Ramvikas Kumar and Nilam Devi (wife of Mahesh
Tanti). During the course of investigation, the same story has
surfaced namely the deceased being in some kind of affair with
Nisha, the daughter of Mahesh Tanti which was objected to by the



family members of Mahesh Tanti. The cause of the death is stated to be assault by hard and blunt substance as also by a sharp cutting weapon.

The petitioner is in custody since 10.07.2017.

Learned counsel for the informant has submitted Nilam Devi, a co-accused, in her statement before the police has supported the prosecution case and has stated that with the help of the petitioner, the deceased was done to death. This is only a confession of a co-accused.

In the trial, only one prosecution witness has been examined up till now.

Regard being had to the aforesaid fact, the petitioner above named is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Vth, Begusarai in connection with Bakhari P.S. Case No. 182 of 2017.

However, it is made clear that the petitioner shall participate in the trial and his unauthorized absence from the trial court on three consecutive occasions would entitle the state to proceed for cancellation of bail of the petitioner.

(Ashutosh Kumar, J)

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