

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17291 of 2017

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

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1. Anandi Tanti Son of Preman Tanti Resident of Village- Amber, Sharistal,
Post- Biharsharif, P.S. Bihar, District- Nalanda Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Abhinay Raj, Adv.

For the State : Mr. Sucheta Yadav, APP 140

For the informant : Mr. Satya Ranjan Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

3 19-06-2017 Heard the learned counsel for the petitioner,
the informant and the State.

This is a petition for grant of regular bail for
offence under Sections 323, 342, 504, 506, 302, 201 and
34 of the Indian Penal Code.

The victim daughter of the informant
telephonically informed the informant that she is not
feeling well. When the informant reached there she found
dead body of the victim. She was insisting for arrival of
the police, but, the accused persons, including the
petitioner, who is husband of the victim threw the dead
body in the field side from where the dead body was
recovered. The post mortem report would reveal that the
victim died of asphyxia due to strangulation.

Submission of the petitioner is that there is no
eye witness of the occurrence. There is no allegation of
demand of dowry and admission by the accused before the
police accepting his guilt is no evidence in the eyes of
law, hence, the petitioner deserves bail.

The learned counsel for the informant as well



as the State opposed the prayer on the ground that witnesses are being examined in the trial, hence, at this stage, on the basis of material, aforesaid, specially the fact that murder was committed within one and half years of the marriage of the victim, the petitioner may not be granted bail.

Considering the fact that there is no substantial material against the petitioner, there is no reason for further detention of the petitioner as under-trial prisoner hence, the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each in connection with **Sessions Trial No. 604 of 2016** arising out of Bihar P.S. Case No. 162 of 2016 to the satisfaction of the **Additional Sessions Judge, VI, Nalanda at Biharsharif**, or successor Court with the condition that the petitioner shall fully cooperate with the trial of the case, failing which the bail bond of the petitioner shall be cancelled by the Court below itself.

(Birendra Kumar, J)

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