

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13911 of 2018

Arising Out of PS.Case No. -64 Year- 2017 Thana -SABOUR District- BHAGALPUR

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1. Kailash Tanti @ Kailu Tanti, Son of Baishakhi Tanti, Resident of
Village- Mamalkha, P.S.- Sabour, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 12-03-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Sections 147/148/149/341/ 323/504/
506/307/379 of the Indian Penal Code.

It appears that similarly situated co-accused Binod
Tanti, Kishore Tanti, Rohit Tanti and Bal Mukund Tanti were
allowed bail by learned 7th Additional Sessions Judge, Bhagalpur
in B.P. No.1348 of 2017 on 24.11.2017. The same learned Judge
has refused bail to the petitioner without distinguishing the case of
the petitioner from other co-accused.

In the circumstances, let the petitioner, above
named, be released on bail on furnishing bail bond of Rs.20,000/-



(Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Sabour P.S. Case No.64 of 2017, with condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

Call for an explanation from the learned 7th Additional Sessions Judge, Bhagalpur, who has passed order dated 24.11.2017 in B.P. No.1348 of 2017 and order dated 05.02.2018 passed in B.P. No.123 of 2018 regarding reason for such discrimination. The explanation must come in the administrative side within four weeks from the date of receipt of a copy of this order in the Judgeship of Bhagalpur. The District Judge, Bhagalpur, shall ensure communication of this order to the learned 7th Additional Sessions Judge, Bhagalpur.

(Birendra Kumar, J)

Mkr./-

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