

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40148 of 2018

Arising Out of PS.Case No. -129 Year- 2015 Thana -BELHAR District- BANKA

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1. Kailash Tanti
2. Santosh Tanti, Both sons of Late Chabhu Tanti, resident of Village-
Bashmata, P.S.- Belhar, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambrish Kumar Jha

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Belhar P.S.Cae No.129 of 2015 , registered for offences punishable under Sections 147, 148, 149, 341, 323, 324, 307 and 302 of the Indian Penal Code.

Allegation against the petitioners as per FIR is that he along with the other accused person intercepted the daughter-in-law of the informant while she was going to administer polio drop to her son and thrown him due to which he died.

Submission of the learned counsel for the petitioners is that no specific allegation has been attributed against the petitioner and the case is still under investigation against the petitioner, whereas against the other co-accused persons, the trial has commenced and



during the trial neither any witness nor the informant has supported the prosecution case.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, surrender before the court below within a period of six weeks from the date of order and on surrender they will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka in connection with Belhar P.S.Case No.129 of 2015, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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