

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1756 of 2018

Arising Out of PS. Case No.-10 Year-2015 Thana- CHANDMUNDI District- Jamui

1. Shubhash Kumar Tanti @ Shubhash Tanti,
2. Mukesh Kumar @ Mukesh Tanti Both are Sons of Puran Tanti,
3. Basudeo Tanti S/o Kishan Tanti @ Kishun Tanti, All are R/o Village - Lodama, P.S.- Chandramandih, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra
For the Opposite Party/s : Mr. YOGENDRA KR. SINGH(APP)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 12-01-2018 Heard learned counsel for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 341,323,325,308 and 504/34 of the IPC.

The prosecution case as per the written report of Nukul Tanti submitted before the Officer Incharge of Chandramandih Police Station, is to the effect that on 31.1.2015 at 3 P.M. the cattle of accused persons entered into the Arhar field of the informant when the informant's wife Chaliya Devi went to drive out the cattle from the field, the petitioners started abusing the informant and on protest the accused persons started assaulting the informant's wife



causing fracture injury on her hand. When the informant came to rescue his wife, they also assaulted the informant on legs and head.

It is submitted by learned counsel for the petitioners that for petty dispute the accusation has been levelled. The investigation has already concluded and the only non-bailable offence under which charge sheet has been submitted is under section 308 of the IPC. It is further submitted that subsequently the informant retracted from the initial version and a petition to that effect has been filed before the learned court below. From the impugned order it appears that the informant appeared before the learned court below and admitted the factum of compromise. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Considering the accusation arising out of petty dispute and the retraction of the informant from initial version, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Jamui in connection with



Chandramandih P.S. Case No.10 of 2015, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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