

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45987 of 2018

Arising Out of PS.Case No. -153 Year- 2016 Thana -KASIMBAZAR District- MUNGER

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Bittu Tanti, Son of Pradeep Tanti @ Pradip Gupta, resident of
Village/Muhalla- Maksaspur, Police Station- Kasimbazar, District- Munger

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-08-2018

Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 16.11.2017 in
connection with S.C. No.244-A/17, arising out of Kasim Bazar
P.S. Case No.153 of 2016, registered for the offence under
Sections 302/34/120B of the Indian Penal Code and Section 27
of the Arms Act.

Learned counsel for the petitioner submits that
though the petitioner is named in the F.I.R. and it is alleged that
out of indiscriminate firing by all accused persons, the son of
the informant died inside the premises of Vijay Talkies, it
cannot be said that the petitioner was the main person who had
fired, leading to the death of the son of the informant. It is
further submitted that such omnibus allegation of firing has
been made and the petitioner has been named in the said F.I.R.
out of suspicion. Learned counsel for the petitioner submits that
similarly situated co-accused Guddu Sharma @ Jitendra
Sharma has since been extended the privilege of bail in



Cr.Misc. No.25277 of 2018, vide order dated 25.04.2018 by this Court and, as such, the petitioner is entitled to the privilege of bail.

Considering the aforementioned facts and circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Additional Sessions Judge-1st, Munger, in connection with S.C. No.244-A/17, arising out of Kasim Bazar P.S. Case No.153 of 2016,, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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