

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1795 of 2019

Arising Out of PS. Case No.-368 Year-2017 Thana- AMARPUR District- Banka

-
1. Sita Ram Tanti (M), aged about 55 years, son of late Anup Lal Tanti
 2. Pandav Tanti (M), aged about 58 years, son of late Anup Lal Tanti
 3. Raghu @ Raghunath Tanti (M), aged about 60 years, son of late Yougal Tanti
 4. Nandan Tanti (M), aged about 35 years, son of Raghu @ Raghunath Tanti
- all are resident of Village-Dumaria, P.S.-Amarpur, District-Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Adv.
For the Opposite Party/s : Mr. Abhay Kumar – 1, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-01-2019 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered
for the offences punishable under Sections 341, 323, 308,
504/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report dated 13.08.2017 submitted by Arjun Tanti to the Station
House Officer, Amarpur Police Station to the effect that on the
same day, at 12.00 A.M. the informant went to see his
agricultural field and found that the petitioners and other
accused persons were planting paddy crops in his field. On
protest being made, the accused persons abused and assaulted



the informant. When wife of the informant came to rescue him, then the accused persons also assaulted and abused her.

It is submitted by learned counsel for the petitioners that in the background of land dispute, the accusation has been levelled. The injury of the informant was found superficial, marginal in size, simple in nature. The accusation is omnibus and general. There is a counter version of the occurrence also being Amarpur P.S. Case No. 367 of 2017 lodged by petitioner no.1. It is further submitted that there is pending Title Suit No.19 of 2017 between the parties. Moreover, no injury report of the wife of the informant is on record. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that there is accusation of assaulting the informant and his wife in the FIR.

Considering the accusation being omnibus and general and the genesis of the occurrence, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, 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 CJM, Banka in connection with Amarpur P.S. Case No.368 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

