

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4371 of 2019

Arising Out of PS. Case No.-185 Year-2018 Thana- JAMUI District- Jamui

Mithu Tanti @ Mithun Kumar Tanti Nageshwar Tanti Resident of village-
Sabaijor, P.S -Sono District-Jamui

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kartik Kumar Sinha

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Jamui P.S. Case No. 185 of 2018 registered for the offence punishable under Sections 364/120(B) of the Indian Penal Code and Section 302/34 of the Indian Penal Code.

Informant has alleged in her written complaint that on 03.04.2018 at about 9:00 AM her husband was called on telephone by Mithu Tanti to go to Deoghar for purchasing Marble. Mithu Tanti asked her husband to come to Jamui. Thereafter her husband went to Jamui and since then he is missing. It has been further alleged that her husband was working in Tamilnadu as Mistri and co-accused Ajay Tanti was contractor there and is relative of Mithu Tanti(petitioner). Some



altercation had taken place between them for payment of wages.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that occurrence took place on 03.04.2018 but FIR was lodged on 11.04.2018 and no explanation has been given for such delay. It has been further submitted that petitioner is neither relative of the co-accused Ajay Tanti nor he has any connection with deceased and co-accused Ajay Tanti. It has been further submitted that other co-accused, namely Ajay Tanti has been granted bail by this Hon'ble Court vide order dated 21.01.2019 passed in Cr. Misc. No. 75932 of 2018. Petitioner has no criminal antecedent and he is in custody since 03.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, in connection with Jamui P.S. Case No. 185 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two



consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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