

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61349 of 2019

Arising Out of PS. Case No.-201 Year-2018 Thana- NOORSARAI District- Nalanda

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KANHAIYA KUMAR @ KANHYA TANTI, aged about 22 years, Male, S/o
Nandan Tanti, Resident of Village- Karanbiga, P.S.- Noorsarai, District-
Nalanda ... Petitioner

Versus

The State of Bihar ... Opposite Party
=====

Appearance :

For the Petitioner : Mr. Ganesh Sharma, Adv.

For the Opposite Party : Mr. Khurshid Anwar, APP.
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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 14-10-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Noorsarai P.S. Case No. 201 of 2018, pending in the Court of
Sri Manvendra Nath Mishra, Judicial Magistrate, 1st Class,
Nalanda at Biharsharif, for the offences alleged under Sections
147, 148, 142, 391, 323, 324, 302, 504 and 506 of the Indian
Penal Code.

The accusation is that due to dispute in between the
informant, Sita Ram Tanti, and his uncle, Sanjay Tanti,
regarding the toilet (Shauchhalay), seven persons, named in the
first information report, including the petitioner, Kanhaiya
Kumar @ Kanhya Tanti, came variously armed with weapons
and started to cause assault to Soi Tanti, Bajrangi Tanti and
Yogendra Tanti, brothers and father of the informant. Informant



also sustained injury. Yogendra Tanti, father of the informant, died due to sustaining the injury.

Learned counsel appearing on behalf of the petitioner submits that while the petitioner is named in the first information report along with six others, but, no specific overt act has been attributed against the petitioner.

Having regard to the facts and circumstances of the case and nature of offence, I am not inclined to grant the privilege of pre-arrest bail to the petitioner. The prayer for pre-arrest bail is **rejected**. The petitioner is directed to surrender before the Court below and seek regular bail, which will be considered on its own merit and without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

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