

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1346 of 2020

Arising Out of PS. Case No.-323 Year-2019 Thana- NATHNAGAR District- Bhagalpur

1. RAKESH KUMAR Son of Parsuram Tanti Resident of Village- Mohamadpur, P.S.- Nathnagar, (Madhusudanpur), District- Bhagalpur.
2. Sonu Kumar @ Sonu Tanti Son of Parsuram Tanti Resident of Village- Mohamadpur, P.S.- Nathnagar, (Madhusudanpur), District- Bhagalpur.
3. Ashutosh Kumar Son of Gore Lal Tanti Resident of Village- Mohamadpur, P.S.- Nathnagar, (Madhusudanpur), District- Bhagalpur.
4. Gore Lal Tanti @ Gore Tanti Son of Late Jhaksu Tanti Resident of Village- Mohamadpur, P.S.- Nathnagar, (Madhusudanpur), District- Bhagalpur.
5. Baiju Tanti Son of Late Jhaksu Tanti Resident of Village- Mohamadpur, P.S.- Nathnagar, (Madhusudanpur), District- Bhagalpur.
6. Bhudeo Tanti Son of Late Jhaksu Tanti Resident of Village- Mohamadpur, P.S.- Nathnagar, (Madhusudanpur), District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha
For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-06-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Sections 448, 341, 323, 324, 307/34 of the



Indian Penal Code.

Allegedly, on hearing the cry of his wife, the informant rushed to his house where he saw that co-accused made firing on the house of the informant and had fixed pistol to the temporal region of his wife. It is also alleged that one of the co-accused assaulted his wife with Gadasa, as a result of which, she sustained injury.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Both parties are said to have sustained injuries in course of occurrence. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands. The other co-accused with similar allegation have been granted bail by this court vide Annexure-3 series to the present application.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioners, above named, in



the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Additional Chief Judicial Magistrate, Bhagalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No. 323 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

A.K.V.//-

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

