

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27464 of 2020

Arising Out of PS. Case No.-4 Year-2020 Thana- KHAIRA District- Jamui

1. NAKO TANTI S/o Late Dhobi Tanti Resident of Village-Gopalpur, P.S.-Khaira, District-Jamui.
2. Banu Tanti S/o Late Dhobi Tanti Resident of Village-Gopalpur, P.S.-Khaira, District-Jamui.
3. Saudagar Tanti S/o Late Dhobi Tanti Resident of Village-Gopalpur, P.S.-Khaira, District-Jamui.
4. Rajesh Tanti S/o Banu Tanti Resident of Village-Gopalpur, P.S.-Khaira, District-Jamui.
5. Mukesh Tanti @ Mukesh Kumar Tanti S/o Nako Tanti Resident of Village-Gopalpur, P.S.-Khaira, District-Jamui.
6. Dharmendra Tanti S/o Nako Tanti Resident of Village-Gopalpur, P.S.-Khaira, District-Jamui.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate
For the Opposite Party/s : Mr. Mukteshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-12-2020

As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Mr. Mukteshwar Dayal, APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

Heard learned Counsel for the petitioners and the learned Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he



is called upon to do so by the office.

Petitioners apprehend arrest in Khaira PS Case No. 4 of 2020 registered under Sections 341, 323, 307, 504 and 506/34 of the IPC.

The allegation is that the petitioners and their family members have assaulted the prosecution party being Gotias over subsisting land dispute.

It is submitted by learned Counsel for the petitioners that the petitioners are having clean past. Even as per prosecution case the occurrence has occurred on account of land dispute between the agnates. Injuries have been sustained as a result of free-fight between the parties wherein the petitioners' side have also sustained injuries as per Annexure 5 series of the instant petition.

Learned APP for the State has opposed the prayer for anticipatory bail.

Having considered the rival submissions this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

Accordingly, let the petitioners above named, in the event of arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Jamui in Khaira PS Case No. 4 of 2020 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

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(Madhuresh Prasad, J)

