

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80632 of 2019

Arising Out of PS. Case No.-651 Year-2018 Thana- KHAGARIA District- Khagaria

Suraj Kumar, Son of Bhaiso Tanti @ Bhoso Tanti Resident of Village -
Paharpur, P.S.- Balia, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Rajiv Nayan

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 09-01-2020 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is accused in connection with Khagaria
(Chitragupta Nagar) P.S. Case No. 651 of 2018, registered under
Section 302/34 of the Indian Penal Code.

The accusation is that in the morning of 22.09.2018,
Ratan Devi, neighbour of the informant, Awadh Tanti, had come at
the hand-pump of his uncle Bhago Tanti and started to abuse. When
the informant made protest then Ratan Devi started to scuffle with
him. In the meantime, Rohan Tanti, Srawan Tanti and Pawan Tanti,
who were present there, started to cause assault to him through lathi,
stick and handle of the hand-pump and on raising alarm, Sajan Tanti,
Bhagan Tanti and cousin of Sohan Tanti (petitioner) came with iron
rod and handle of hand-pump and started to cause assault to him.



Thereafter, when his father Devo Tanti, sister-in-laws Ranju Devi and Premshila Devi and brothers Mithilesh Tanti and Anil Tanti came to save him then they were also assaulted and on the instruction of Sohan Tanti, Pawan Tanti caught hold the hand of his brother, Anil Tanti and Bhjan Tanti assaulted him through iron causing injury at his head, who died on the spot.

Learned counsel for the petitioner submits that it would appear from the FIR that while the occurrence took place but petitioner is not the assailant of the deceased, Anil Tanti rather he is said to be the assailant to the informant and other family members. It is further submitted that petitioner has no criminal antecedent and is in custody since 05.03.2019.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria, in connection with Khagaria (Chitragupta Nagar) P.S. Case No. 651 of 2018. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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