

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27093 of 2021

Arising Out of PS. Case No.-67 Year-2019 Thana- BELCHHI District- Patna

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Tuntun Raut @ Tuntun S/o Bindeshwar Raut Resident of Village- Bakra, P.S.-
Bind, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jagannath Prasad, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-12-2021 Heard Shri Jagannath Prasad, learned counsel

appearing on behalf of the petitioner and Shri Ajit Kumar,

learned APP appearing on behalf of the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 25.01.2021 seeks
regular bail in connection with Belchhi P.S. Case No. 67 of 2019
registered for offences punishable under Sections 147, 148, 149,
341, 323, 325, 307, 302 and 504 of the Indian Penal Code.

The story of the prosecution in brief is that 18 named
accused persons in the FIR including the petitioner armed with
lethal weapon stopped the informant from cultivating his land.
On protest, the accused persons assaulted the father and younger
brother of the informant. In course of treatment, father of the



informant died at P.M.C.H., Patna.

Learned counsel appearing on behalf of the petitioner submits that there is general and omnibus allegation against the petitioner and there is no overt act so far as the present petitioner is concerned. At the best, it can be said to be a member of the mob. He further submits that two other co-accused who were also member of the mob have already been granted bail by this Court vide order dated 12.03.2021 passed in Cr. Misc. No. 2342 of 2021. He further submits that petitioner is in custody since 25.01.2021 and he may also be released on the plea of parity.

Learned A.P.P., however, opposes the prayer for bail.

Considering the facts and circumstances of the case, let the petitioner above named, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Barh, Patna in connection with Belchhi P.S. Case No. 67 of 2019 subject to the following conditions:

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



(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tempers 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.

(Purnendu Singh, J)

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