

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38866 of 2020

Arising Out of PS. Case No.-87 Year-2020 Thana- SHAMBHUGANJ District- Banka

1. Liladhar Tanti @ Liliadhar Kumar, aged about 25 years, Male Son of Rabindra Tanti.
 2. Mani Kumar. Aged about 22 years, Male Son of Dipak Tanti @ Bana Tanti.
 3. Gulshan Kumar @ Gulshan Tanti, aged about 21 years, Male Son of Birendra Tanti.
 4. Subodh Tanti @ Sugo Tanti, aged about 32 years, Male Son of Birendra Tanti.
 5. Minakshi Devi, aged about 35 years, Female Wife of Prakash Tanti.
 6. Kulo Tanti @ Gulo Tanti, aged about 25 years, Male, Son of Birendra Tanti.
 7. Rahul Kumar @ Rahul Kumar Tanti, aged about 23 years, Male Son of Dhruv Tanti.
 8. Arun Tanti, aged about 36 years, Male Son of Sadhu Tanti.
 9. Pinku Tanti, aged about 32 years, Male Son of Chanchal Tanti.
- All are resident of Village- Tina, P.S.- Shambhuganj, District- Banka.

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Ms. Veena Rani Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 28-10-2021 Heard Mr. Ranjan Kumar Jha, learned counsel appearing on behalf of the petitioners and Ms. Veena Rani Prasad, learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Shambhuganj P.S. Case No. 87 of 2020, dated 16.04.2020 registered for offence punishable under Sections 147, 148, 149, 188, 269, 323, 307, 504, 506 and 379 of the Indian Penal Code.

The prosecution case as per the FIR dated 16.04.2020



is that the informant namely Liladhar Tanti had blocked the common road by keeping electric poll. One Bambam Mandal was passing through the same road on motorcycle, he fell down and his motorcycle got damaged by the said electric pole put on the road, on hulla villagers gathered. The informant tried to pacify the matter but all the accused persons named in the FIR without any rhyme or reason started abusing and assaulted him by means of lathi and when Anil Mandal came there to protect the informant he was also assaulted by khanti on his head, which hit near his eye, and when Kishore Mandal came there he was also assaulted by all other accused persons.

Learned counsel for the petitioners submits that there is no specific allegation made against these petitioners at all and the allegation which has been made in the FIR is against one Raju Tanti that he assaulted one Anil Mandal. Learned counsel for the petitioners further submits that from perusal of the injury report it appears that all the injuries are simple in nature. He further submits that there is no complicity of these petitioners in the above incidents and they are innocent. He further submits that Section 307 and 379 of the Indian Penal Code is not attracted in the present case and other sections are bailable in nature.



Learned counsel appearing on behalf of the State opposes the prayer for grant of anticipatory bail of the petitioners.

Considering the facts and circumstances of the case and the allegation made in the FIR and there being no direct allegation against these petitioners. Even from perusal of the injury report, it appears that all the injuries are simple in nature. I am of the opinion that the petitioners shall be granted anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the Court below within four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Banka in connection with Shambhuganj P.S. Case No. 87 of 2020, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Purnendu Singh, J.)

Anand Kr.

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

