

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40356 of 2020**

Arising Out of PS. Case No.-94 Year-2017 Thana- BARHAT District- Jamui

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GORELAL TANTI son of Late Bhuna Tanti Resident of Village- Postahiya,
P.S. Laxmipur, District- Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Prasad

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

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

9 05-08-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Barhat P.S. Case No. 94 of

2017, registered for the offence punishable under Sections

364(A), 511/34 of the Indian Penal Code and section 3/4 of the

Explosive Substances Act and section 27 of the Arms Act.

As per the prosecution case, 05 unknown miscreants

intruded into the house of informant and exploding the bomb

kidnapped the informant on motorcycle. On the way, the

informant gave push to the motorcycle due to which the driver

of motorcycle lost control and fell down on the ground, as a

result of which informant and accused persons got severely



injured and co-accused Dharmendra Kumar Tanti was apprehended by the local people.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR and he has not been put on test identification parade till date. Informant is not the eye witness of the occurrence. Name of petitioner has come in this case on the basis of statement of spy and confessional statement of co-accused including Dharmendra Tanti who has already been granted bail by this Court vide order dated 19.03.2018 passed in Cr. Misc. No. 10090 of 2018 and co-accused Shiv Kumar Tanti has been granted bail by order dated 18.01.2019 passed in Cr. Misc. No. 78852 of 2018. In para 3 of the supplementary affidavit, it is stated that petitioner is accused in 21 cases, out of which petitioner is acquitted in five cases and he is on bail in rest cases, except the present case. Petitioner is in custody since 29.10.2018.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Barhat P.S. Case No. 94 of 2017, subject to following conditions:-



(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers 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.

(Prabhat Kumar Singh, J)

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