

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1343 of 2021

Arising Out of PS. Case No.-31 Year-2020 Thana- HARPUR District- Munger

1. SANTOSH KUMAR @ CHAILLA Son of Dinesh Tanti Resident of Village - Madhodih, P.S. Harpur, District - Munger.
2. Dinesh Tanti Son of Late Hakko Tanti Resident of Village - Madhodih, P.S. Harpur, District - Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-07-2021 Heard learned counsel for the petitioners and learned APP for the State through virtual mode.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 148, 149, 341, 323, 324, 325, 307, 504, 506, 120(B) of the Indian Penal Code.

Allegation is that accused Umesh Tanti assaulted the informant by means of lathi on her head, as a result of which she sustained head injuries. When the son and husband of the informant came to save her, they were also assaulted by the



accused persons by means of lathi, due to which they sustained injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made. Specific allegation of assault is against co-accused Umesh Tanti. It is a case and counter case between the parties. Both the sides are said to have been injured. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned S.D.J.M., Munger in connection with Harpur P.S. case No.31 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



Once the normalcy is restored, the petitioners will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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