

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1694 of 2022

Arising Out of PS. Case No.-319 Year-2020 Thana- BAKHARI District- Begusarai

1. Manoj Tanti Son of Banarsi Tanti Resident of Village - Balhin Chak, Ward no.01, P.S.- Gangaur, Distt.- Khagaria.
2. Bipin Tanti Son of Banarsi Tanti Resident of Village - Balhin Chak, Ward no.01, P.S.- Gangaur, Distt.- Khagaria.
3. Manohar Tanti Son of Banarsi Tanti Resident of Village - Balhin Chak, Ward no.01, P.S.- Gangaur, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-08-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioners seek bail in a case registered for the
offences punishable under Sections 304(B), 201/34 of the Indian
Penal Code.

According to prosecution case, in short, is that the
marriage of Sudha Devi the daughter of informant Radhe Devi
was solemnized with Basant Tanti in the year 2017. On
22.07.2020 Basan Tanti and his other family members



demanded motorcycle and due to non-fulfillment they abused and assaulted her and accused Basant Tanti, Laddu Lal Tanti, Manoj Tanti, Manohar Tanti, Sito Tanti, Bipin Tanti all used to torture her. On 31.07.2020 in the night they committed murder of the daughter of the informant and concealed the dead body and thereafter threw the dead body on railway track from where the dead body recovered.

Learned counsel for the petitioners submits that petitioner no.1 and 3 has clean antecedent and petitioner no.2 has one criminal antecedent other than the present one. He further submits that petitioners have falsely been implicated in the present case only on the basis of of suspicion. He further submits that as per F.I.R. there is no specific allegation against these petitioners. He further submits that in fact the deceased was died due to railway accident and there is no eye witness of the alleged occurrence. He further submits that nothing has come during investigation against these petitioners and the police after investigation submitted the charge sheet against these petitioners. The petitioners are in custody since 02.09.2021 and 14.09.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the



basis of material available and the case diary and submits that nothing has come during investigation against these petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bakhri P.S. Case No. 319 of 2020, subject to the following conditions:-

1. Petitioners 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 on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent,



the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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