

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42043 of 2021

Arising Out of PS. Case No.-155 Year-2020 Thana- MATIHANI District- Begusarai

AMRESH TANTI Son of Ramswaroop Tanti Resident of Village - Pannapur,
Ward No.1, P.S.- Matihani, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 02-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Matihani P.S. Case No. 155 of 2020 registered for the offence under Sections 147, 148, 149, 323, 307, 302, 504 and 506 of the Indian Penal Code.

The petitioner is said to have assaulted the informant by way of iron rod over his head resultantly, he sustained head injury.

Learned counsel appearing for the petitioner



submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that it is apparent from the F.I.R. itself that the informant has clearly stated that his father was assaulted by Becho Tanti and Krishna Nandan Tanti as a result of which the father of the informant died. He further submits that there is general and omnibus allegation against the petitioner. He also submits that according to the F.I.R. the petitioner has only assaulted the informant and the injury report does not corroborate with the allegation leveled in the F.I.R. The police after investigation has submitted charge-sheet in this case on 28.02.2021. The petitioner is rotting in judicial custody since 04.12.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st, Class, Begusarai in connection with Matihani P.S. Case No. 155 of 2020 with the following conditions:-



(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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