

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46469 of 2021

Arising Out of PS. Case No.-139 Year-2020 Thana- ISHAKCHAK District- Bhagalpur

1. Shambhu Tanti @ Shambhu Kumar S/O Late Kartik Tanti R/O Village-Tunna Mukari Lane, Barari, P.S-Barari, District-Bhagalpur.
2. Rupesh Kumar S/O Shambhu Tanti @ Shambhu Kumar R/O Village-Tunna Mukari Lane, Barari, P.S-Barari, District-Bhagalpur.
3. Banti Kumar S/O Laxman Tanti R/O Village-Tunna Mukari Lane, Barari, P.S-Barari, District-Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-04-2022 Heard learned counsel for the petitioners and
learned APP for the State.

Learned counsel for the petitioners is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioners are apprehending their arrest in Ishakchak
P.S. Case No. 139 of 2020 registered under Sections 341, 323,
504, 506, 354, 379, 406, 420 and 34 of the Indian Penal Code.

Allegedly, an e-rickshaw was purchased by the informant
on loan. The informant paid Rupees 28,000/- in four
installments to petitioner No. 1 but receipts were not given. On



demand of receipts, the informant was abused in filthy language and in consequence thereof, the accused persons started assaulting him. Rs. 1800/- is said to have taken away in the occurrence.

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. For oblique reasons, the petitioners have been made accused in the present case. E-rickshaw is alleged to have been purchased by the informant. One of the petitioners is alleged to be the agent. Neither any wrongful gain has been caused to the petitioners nor any wrongful loss has been caused to the informant. The nature of injury is said to be simple.

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

Considering the aforesaid facts and circumstances of the case, 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 furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of learned Judicial Magistrate-Ist Class, Bhagalpur in connection with



Ishakchak P.S. Case No. 139 of 2020 subject to the conditions
as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

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