

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46806 of 2021

Arising Out of PS. Case No.-64 Year-2021 Thana- SAHEBPUR KAMAL District- Begusarai

CHHATISH TANTI S/o Late Natho Tanti R/o Village- Pachbir Hajipur Tola,
P.S.- Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Adv.

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 414, 120B and 34 of the Indian Penal Code, sections 30(a), 32 and 41(1) of the Bihar Prohibition and Excise Act, 2016 and sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, on a raid being conducted in the house of the petitioner, it is stated that while one Bhulla Tanti was arrested, 354.24 litres of IMFL, one country made pistol, two live cartridges and a mobile phone was recovered from the possession of Bhulla Tanti. The persons who managed to flee away included the petitioner herein.

It is submitted by learned counsel for the petitioner



that from the F.I.R. itself, it would transpire that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. The house in question is the joint family property and from the F.I.R., the alleged recovery is from co-accused Bhulla Tanti. The petitioner is in custody since 29.6.2021 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not having been arrested at the spot, not having any criminal antecedent and having remained in custody for more than 7 months, the Court directs the petitioner to be enlarged on bail in connection with S.Kamal P.S. Case no.64 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Begusarai.

(Partha Sarthy, J)

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