

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51475 of 2021

Arising Out of PS. Case No.-57 Year-2021 Thana- CHANDAN District- Banka

Mohan Tanti, Son of Late Raghunath Tanti, Resident of Village- Paharpur,
P.S.- Chandan, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Adv.

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 31-03-2022 Heard learned counsel for the petitioner. Learned
APP is absent.

The petitioner is in judicial custody since 07.04.2021
in connection with Chandan P.S. Case No.57 of 2021 under
Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code.

Allegations have been made against the accused
persons that they stopped the informant's husband while he was
returning and wanted money for refreshment and upon his
refusal to do so he was assaulted.

Learned counsel for the petitioner submits that there is
an omnibus allegation against the accused persons and as such
he deserves bail. The counsel for the petitioner however,
candidly submits that subsequently, it has come during the
course of investigation that it was actually the petitioner's son
Pappu Tanti who had made the assault and nothing has been



attributed against the petitioner.

Considering the fact that the petitioner is an aged person and is in judicial custody since 07.04.2021 and in view of the statement made by the counsel for the petitioner that the allegation of assault has been attributed to his son Pappu Tanti during the course of investigation, it would be appropriate that this petitioner be released on bail.

Accordingly, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Chandan P.S. Case No.57 of 2021, subject to the satisfaction of the court below on the point of submission made by the learned counsel for the petitioner that allegation of assault has been attributed to his son, Pappu Tanti.

The bail application is allowed with the aforesaid observations.

(Rajiv Roy, J)

Prakash Narayan /-

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