

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42542 of 2022

Arising Out of PS. Case No.-336 Year-2021 Thana- NATHNAGAR District- Bhagalpur

1. Anuj Tanti Son of Late Munilal Tanti, Resident of Village - Ganoura, Badarpur, PO.- Sahjadpur, P.s.- Nathnagar (Masdhusudanpur), Distt.- Bhagalpur.
2. Vikram Tanti Son of Late Munilal Tanti, Resident of Village - Ganoura, Badarpur, PO.- Sahjadpur, P.s.- Nathnagar (Masdhusudanpur), Distt.- Bhagalpur.
3. Abinash Tanti Son of Late Munilal Tanti, Resident of Village - Ganoura, Badarpur, PO.- Sahjadpur, P.s.- Nathnagar (Masdhusudanpur), Distt.- Bhagalpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioners seek regular bail in connection with
Nathnagar (Madhusudanpur) P.S. Case No. 336 of 2021 lodged
under Sections 302/34 of the Indian Penal Code.

As per prosecution, the allegation of assault and
committing murder to the son of the informant by the accused
persons including the petitioners is there in the F.I.R.

Learned counsel for the petitioners submits that from the content of the F.I.R., it transpires that the F.I.R. has been filed on the basis of hearsay evidence. Learned counsel also submits that admittedly the body of the son of the informant in brutal condition was recovered from the house of one Bajrangi Das, who alleged that the petitioners have assaulted the deceased whose death has caused during treatment. Learned counsel further submits that there are inimical terms among the petitioners with Bajrangi Das and due to this reason, the said Bajrangi Das has taken the name of the entire family of the petitioners in this case. Learned counsel also submits that petitioners are in custody since 15.05.2022, charge-sheet has already been submitted and charge has also been framed in this case. Learned counsel further submits that the Co-ordinate Bench of this Court has pleased to grant bail to one of the co-accused vide order dated 05.05.2022 passed in Cr. Misc. no. 52151 of 2021.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees

Thirty Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bhagalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No. 336 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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