

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60836 of 2021

Arising Out of PS. Case No.-618 Year-2020 Thana- AMARPUR District- Banka

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LAKSHMAN TANTI Son of Late Sarobar Tanti, Resident of Village-
Mahadeopur, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 28-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Amarpur P.S. Case No. 618 of 2020 lodged under Section 302
of Indian Penal Code.

As per prosecution, there is only one accused in this
case against whom allegation of killing the deceased is there.
The body has been found in a complete brutal manner, when the
husband of the deceased has put this question to the petitioner,
he himself informed that he killed the deceased in such way. It
has been alleged by the informant that on 12.10.2020 there was
a quarrel taken place between the petitioner and informant's

wife in which petitioner has threatened her that he will send her *swarg* within 2 days.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that it is the constitutional vision that a person cannot be punished by his own statement. He further submit that in this case, it is necessary to look into the circumstance under which he has made the statement and accept his guilt of crime. He further submits that petitioner has clean antecedent and he is in custody since 14.10.2020. He further submits that charge sheet has already been filed and charge has not been framed till date in this case.

Learned counsel for the State submits that there is two part in this case. The first part is that the petitioner himself narrated that he has committed the crime and second is the daughter of the deceased has seen that the present petitioner is last seen person with the wife of the informant, which was subsequently found dead.

In the present facts and circumstances of the case and the submissions made above, I am not inclined to grant bail to the petitioner but petitioner may renew his prayer for bail after lapse of one year from the date of passing of this order.

With this observation, the bail application stands
rejected.

(Dr. Anshuman, J.)

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