

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57808 of 2022

Arising Out of PS. Case No.-254 Year-2013 Thana- KATORIYA District- Banka

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PRADEEP TANTI S/o Sukhdeo Tanti Resident of village- Gonowari, Police
Station- Katoriya, District- Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-11-2022 Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of regular bail in a case registered under sections 328 and 34 of the Indian Penal Code.

The earlier application for bail of the petitioner was rejected vide order dated 7.9.2021 passed in Cr. Misc. no.11873 of 2021.

As per the prosecution case, it is stated that as the result of torture by the accused persons including the petitioner herein who happens to be the husband of the deceased, the daughter of the informant consumed poison and died.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only for the reason of his being the husband of the deceased. He is in



custody since 19.3.2019 and only seven out of the twelve prosecution witnesses have been examined. There is no chance of the trial concluding in the near future and he has remained in custody for 3 years 8 months.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case especially the petitioner having remained in custody since 19.3.2019, the petitioner is directed to be enlarged on bail in connection with Sessions Trial No. 285 of 2019 (arising out of Katoriya P.S. Case No. 254 of 2013) 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 Additional Sessions Judge-I, Banka/court concerned, Banka on the following conditions:

(I) One of the bailors of the petitioner shall be the father/close relative of the petitioner.

(II) The petitioner shall remain physically present in the trial court on each date of the trial and shall cooperate in the trial.

In case of the petitioner not cooperating in the trial or the petitioner remaining absent on two consecutive dates for reasons not to the satisfaction of the learned trial court, the



learned trial court may cancel the bail bond of the petitioner and
take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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