

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7 of 2022**

Arising Out of PS. Case No.-78 Year-2017 Thana- ANTICHAK District- Bhagalpur

MANOJ TANTI SON OF HARI TANTI RESIDENT OF VILLAGE-
ALAWAN, P.S. EKCHARI, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 08-06-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the accused persons namely Gajadhar Kapri, Jaikant Mandal, Anjani Mandal and Rajeev Mandal killed Kakku Yadav @ Nilambri Yadav. Further overt act is alleged against Anjani Mandal and Rajeev Mandal. It is further stated that two accused persons were present there on a motorcycle which included the petitioner herein.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Accepting the allegations in the FIR no overt act has been alleged against the petitioner. Referring to the order of the



learned trial Court it is submitted that at best the petitioner may be said to be present near the place of occurrence. He is in custody since 22.7.2021 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 allegation against the petitioner in the FIR, no overt act having been alleged against him, the petitioner not having any criminal antecedent and having remained in custody for 8 months, the Court directs the petitioner to be enlarged on bail in connection with Antichak P.S. Case no. 78 of 2017 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 A.C.J.M. XIV, Bhagalpur.

(Partha Sarthy, J)

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