

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 5608 of 2023

Arising Out of PS. Case No.-216 Year-2021 Thana- BIHPUR District- Bhagalpur

BIKASH TANTI @ BIKASH TATTI SON OF BIJO TATTI @ BIJA TATTI
R/O VILLAGE- IMDADI, P.S.- BELDOUR, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
07.09.2022 in connection with Bihpur (Bhawanipur) O.P.) P.S.
Case No.216/2021, F.I.R. dated 22.05.2021, for the offences
punishable under Sections 302/34 of the IPC.

According to prosecution case, A dead body of a male,
which was lying near the Koshi river was recovered by the
informant chowkidar 4/18 Hira Lal Paswan and found that there
was a ligature mark over throat of the dead body.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case on the basis of suspicion. He
further submits that the petitioner is not named in the F.I.R. The



name of the petitioner has been transpired during investigation on the basis of statement of the wife of the deceased which was recorded in paragraph-29 of the case diary, in which she has stated that the petitioner and co-accused persons, namely, Rita Devi and Sanchit Kumar have murdered the husband of Komal Devi. He further submits that the petitioner has not committed any offence as alleged in the F.I.R. and except suspicion, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 07.09.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1, Naugachia, Bhagalpur in connection with Bihpur (Bhawanipur) O.P.) P.S. Case No.216/2021, subject to the following conditions:-



1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

amit/-

U		T	
---	--	---	--

