

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8053 of 2023

Arising Out of PS. Case No.-20 Year-2022 Thana- LAXMIPUR District- Jamui

Raj Kumar Tanti, Son of Vinod Tanti R/v- Nawkadih, P.S- Laxmipur Dist-
Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjana Parihar

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 29-04-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with S. Tr.
No. 492 of 2022, arising out of Laxmipur P. S. Case No. 20
of 2022, registered for the offences punishable under
Sections 341, 323, 307, 393 and 34 of the Indian Penal
Code and Section 27 of the Arms Act, 1959.

The prosecution case as emerges from the FIR is
that on 13.01.2022 at about 09.00 P.M., when the
informant was closing his shop, two unknown persons tried
to enter into his shop forcibly and when he started resisting
them, they opened fire upon him, due to which he got



injured.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the F.I.R. He further submits that the injury report does not support the allegation.

He further submits that the petitioner has been languishing in jail since 23.05.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in two more cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties



of the like amount each to the satisfaction of Ld. A.S.J. IInd, Jamui in connection with S. Tr. No. 492 of 2022, arising out of Laxmipur P. S. Case No. 20 of 2022, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite



his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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