

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27834 of 2023

Arising Out of PS. Case No.-129 Year-2022 Thana- LAXMIPUR District- Jamui

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SANOJ TANTI Son of Banarasi Tanti Resident of Village - Mahuagarh, P.S.-
Laxmipur, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 03-08-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Laxmipur (Gidhaur) P.S. Case No. 129 of 2022 registered for

the offence under Sections 302, 201, 120-B/34 of the Indian

Penal Code.

3. The accused/petitioner is named in the F.I.R. and is

in custody since 30.09.2022.

4. As per F.I.R., son of informant went to attend a

farewell party alongwith co-accused Shambhu Tanti and this

petitioner on 04.05.2022 at about 10:30 P.M., where on next day

his headless dead body was found in village Dolkatwa near to

Domuhani Ghat.

5. Learned counsel appearing on behalf of the



petitioner submitted that informant is not the eye witness of the occurrence and entire implication is based upon suspicion of “last seen”, where nothing surfaced during the course of investigation as to connect petitioner, *prima facie*, with present occurrence of murder. It is submitted that by taking note of said fact, similarly situated co-accused, namely, Shambhu Tanti has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 51746 of 2022 vide order dated 07.02.2023. While concluding the argument, it has been submitted that petitioner found involved in three more criminal cases, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of the fact as save and except suspicion arises out of “last seen” nothing appears incriminating against this petitioner as to connect him, *prima facie*, with the present occurrence of murder coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 30.09.2022, accordingly, above named



petitioner is directed to be released on bail in connection with Laxmipur (Gidhaur) P.S. Case No. 129 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IV, Jamui/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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