

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35515 of 2023

Arising Out of PS. Case No.-982 Year-2022 Thana- SHERGHATI District- Gaya

RAJU TANTI @ RAJU KUMAR TANTI S/O RAMESHWAR PRASAD @
RAMESHWAR PRASAD TANTI R/O Village-Kothwar, P.S.-Dobhi, Dist.-
Gaya (Bihar) Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate
For the Opposite Party/s : Ms.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-05-2023 Heard Mr. Aman Vishal, learned counsel for the

petitioner and Ms. Sharda Kumari, learned Additional Public

Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with

Sherghati PS Case No. 982/2022 dated 21.10.2022 registered for

the offence punishable under Sections 147, 341, 323, 333, 307,

504, 353/34 of the IPC.

3. As per allegation made in the FIR, the Assistant

Sub-Inspector, Excise Prohibition, Gaya was conducting breath

analyzing test near Dhirjapool and during course of breath

analyzing test, one tempo driver, namely, Brajesh Kesri was

found having consumed liquor and he was being taken to the

police station, in the meanwhile, a mob of about 100 people

surrounded the police vehicle in order to set the tempo driver

free from the custody of the police. The name of the petitioner



and others got transpired on the basis of disclosure of the villagers and village Chaukidar.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of disclosure of his name by Chaukidar. As per the FIR, a mob of about 100 people surrounded the police vehicle, tried to set free the tempo driver from the custody of the police but only four persons have been made named accused including the petitioner with oblique motive. The petitioner is running a textile shop in the area of Kothwar and he is having no criminal antecedent.

5. Regards being had to the submissions made by the parties, taking into consideration the fact that the name of the petitioner has come on the basis of disclosure made by Chaukidar, allegation is general and omnibus in nature petitioner is having no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, let the petitioner, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-1, Sherghati, Gaya in



connection with Sherghati PS Case No. 982/2022, subject to the
condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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