

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47712 of 2023

Arising Out of PS. Case No.-189 Year-2023 Thana- SULTANGANJ District- Bhagalpur

KARUN KUMAR @ KARUN TANTI Son of Adhik Lal Tanti Resident of
village - Gangania, P.S. - Sultanganj, Distt. - Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 21-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sultanganj
P.S. Case No. 189 of 2023 dated 05.04.2023 registered for the
offence under Sections 324, 326 and 307 of the Indian Penal
Code.

The sister of the informant is alleged to have been
stabbed at the instance of the petitioner.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the allegation, as alleged in the F.I.R., is false and fabricated and
the petitioner has not committed any offence. He further submits
that during pendency of the present bail petition, parties have



settled their case outside the Court and a joint compromise petition has also been filed by the parties before the learned court below and the same is also brought on record by way of supplementary affidavit before this Court. He further submits that according to the compromise, the informant is peacefully living in her matrimonial home. He further submits that taking note of the compromise between the parties, further incarceration of the petitioner would hamper the relationship of the petitioner and the informant, who are husband and wife. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 05.04.2023.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and fairly submits that the parties have resolved their dispute by way of compromise outside the Court.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Additional Chief Judicial Magistrate-Ist, Bhagalpur in connection with Sultanganj P.S. Case No. 189 of 2023 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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) One of the bailors should be the victim/informant/ wife of the petitioner, namely, Bindu Devi.

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)

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