

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41317 of 2023**

Arising Out of PS. Case No.-439 Year-2022 Thana- SULTANGANJ District- Bhagalpur

AMARDEEP TANTI @ AMARDEEP KUMAR TANTI Son of Koko Tanti  
Resident of village - Lattipur, P.S. - Shakhund, Distt. - Bhagalpur

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      28-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Sultanganj P.S. Case No. 439 of 2022 registered for the offences punishable under Sections 448, 341, 323, 354,. 308, 504, 506/34 of the Indian Penal Code. He has one criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant has alleged that all the accused persons along with petitioner entered in her house with bad intention and torn the cloths of the her daughter who is a student of Class Xth. It is further alleged that when the informant and her husband tried to save her they were also abused and assaulted with iron 'saria'.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that on reading of the impugned order of learned Additional District & Sessions Judge-16, Bhagalpur that in course of investigation the petitioner and co-accused Subodh Tanti, Rohit Tanti, Madan Tanti and Koko Tanti were not present at the place of occurrence.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it appears on reading of the impugned order of learned Additional District & Sessions Judge-16, Bhagalpur that in course of investigation the petitioner and co-accused Subodh Tanti, Rohit Tanti, Madan Tanti and Koko Tanti were not present at the place of occurrence whereas the specific allegation of teasing the daughter of the informant and doing an indecent act with her is against all those persons together with this petitioner, in the nature of the materials coming in course of investigation and the submission of learned counsel for the petitioner that the informant seems to have involved falsely implicating several persons in this case, further that the petitioner has one criminal antecedent which is a case lodged by



the present informant in which the petitioner is on bail, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - 1<sup>st</sup>, Bhagalpur, in connection with Sultanganj P.S. Case No. 439 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. 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.

**(Rajeev Ranjan Prasad, J)**

Rajeev/-

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