

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45384 of 2023**

Arising Out of PS. Case No.-232 Year-2023 Thana- BEGUSARAI MUFFASIL District-  
Begusarai

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SUDHIR TANTI SON OF DEVENDRA TANTI @ DEVNANDAN TANTI  
RESIDENT OF VILLAGE- SIKANDARPUR, RAJAURA, PS- MUFFASIL,  
DIST- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with  
**CRIMINAL MISCELLANEOUS No. 47616 of 2023**

Arising Out of PS. Case No.-232 Year-2023 Thana- BEGUSARAI MUFFASIL District-  
Begusarai

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RAJU KUMAR S/o Mahaveer Choudhary Resident of Village-Sandalpur,  
P.S.-Sahebpur Kamal, District-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 45384 of 2023)

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

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

(In CRIMINAL MISCELLANEOUS No. 47616 of 2023)

For the Petitioner/s : Mr. Randhir Kumar No.1, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

- 3      11-09-2023                      1. Heard learned counsel for the petitioners, learned  
counsel for the informant and learned Additional Public Prosecutor  
for the State.
2. Petitioners, who are in custody since 24.04.2023 &  
28.04.2023 respectively seek bail in connection with Muffasil P.S.  
Case No. 232/2023 dated 24.04.2023, registered for the offences



punishable under Sections 406, 417, 420, 380/34 of the I.P.C.

3. According to prosecution case, the informant gave Rs. 10 lack to his driver Sudhir Tanti for depositing the same in S.B.I. but he did not deposit the same and told that the said money was kept with the petitioner.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the petitioner no.2 namely Raju Kumar is not named in the F.I.R. His name has been transpired during investigation and Rs. 2.5 lakhs has been recovered from his possession and Rs.3.44 lacks has been recovered from the co-accused namely Rajeev Choudhary. He further submits that the father of the petitioner Sudhir Tanti has filed Muffasil P.S. Case No. 230/2023 against the informant and in retaliation of the aforesaid case, the informant has filed the present false and fabricated case against the petitioners. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. He further submits that the informant has not given any amount to the petitioners for depositing the same in the bank account and co-accused persons namely Rajeev Choudhary has been granted bail by the co-ordinate Bench of this Court vide order dated 31.07.2023 passed in Cr. Misc. No. 44246/2023. So far as petitioner no.2 Raju Kumar is concerned, nothing has been recovered from his possession and his name has



been transpired on the basis of confessional statement of the petitioner Sudhir Tanti and co-accused namely Rajeev Choudhary and except the confessional statement of Sudhir Tanti and Rajeev Choudhary, no other cogent material has come during investigation to suggest the involvement of the petitioner Raju Kumar in the present crime in question. The police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 24.04.2023 & 28.04.2023 respectively.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor for the State on the other hand vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances as well as period of custody, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Begusarai in connection with Muffasil P.S. Case No.232/2023, subject to the following conditions:-

1. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for



cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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