

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60092 of 2023

Arising Out of PS. Case No.-102 Year-2020 Thana- ALOULI District- Khagaria

Vikram Tanti Son of Upendra Tanti Resident of Village- Dharhaba, Ps-
Bithan, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-09-2023 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
Session Case No. 459/2022 arising out of Alauli P.S. Case No.
102 of 2020 registered for the offence under Sections 392/395
of the Indian Penal Code and Section 27 of Arms Act.

3. The accused/petitioner is not named in the F.I.R.
and is in custody since 22.02.2021

4. The allegation against the petitioner is to commit
dacoity along with other co-accused persons and while
committing so looted cash of Rs. 4 Lakh belongs to informant.

5. Learned counsel appearing on behalf of the
petitioner submitted that petitioner was not apprehended on spot
and he was remanded in present case from Alauli P. S. Case No.



35/2021 on the basis of his self confession, where out of said confession no incriminating material was recovered/surfaced during the course of investigation as to suggest involvement of petitioner with present occurrence. It is pointed out that co-accused Ajay Mukhiya having similar allegation has already been granted bail by this court through Cr. Misc. No. 2812/2022 vide order dated 06.09.2022. While concluding the argument, it has been submitted that 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 fact as save and except suspicion arises out of self-confession, nothing incriminating surfaced during the course of investigation, as to suggest involvement of petitioner, *prima facie*, with present occurrence of dacoity, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 22.02.2021, accordingly, above named petitioner is directed to be released on bail in connection with Session Case No. 459/2022 arising out of Alauli P.S. Case No. 102 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of



the like amount each to the satisfaction of the Court of learned Additional District Judge-V, Khagaria/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C., with further condition:

“(i) That petitioner shall cooperate in the trial and shall be physically present on each and every date before the trial court till conclusion of the trial and exemption from physical appearance be allowed by the trial court, only on medical ground of the petitioner duly supported by the documents.”

(Chandra Shekhar Jha, J)

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