

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58460 of 2022

Arising Out of PS. Case No.-38 Year-2022 Thana- BUDHUCHAK District- Bhagalpur

1. KISHAN TANTI Son of Sikari Tanti R/V- Kishandaspur, P.S- Budhuchak, Dist- Bhagalpur
2. Bindeshwari Tanti Son of Bhikhari Tanti @ Binod Tanti R/V- Kishandaspur, P.S- Budhuchak, Dist- Bhagalpur
3. Subodh Tanti Son of Bhikhari Tanti @ Binod Tanti R/V- Kishandaspur, P.S- Budhuchak, Dist- Bhagalpur
4. Mangal Tanti Son of Sikari Tanti R/V- Kishandaspur, P.S- Budhuchak, Dist- Bhagalpur
5. Bishan Tanti Son of Sikari Tanti R/V- Kishandaspur, P.S- Budhuchak, Dist- Bhagalpur
6. Chhanguri Tanti Son of Bhikhari Tanti @ Binod Tanti R/V- Kishandaspur, P.S- Budhuchak, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tarun Prasad Mandal, Adv.

For the Opposite Party/s: Mr.Brajendra Nath Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-01-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 452, 323, 354-B, 363, 380, 302, 201, 457, 504, 506 of the Indian Penal Code and Section 8 of the POCSO Act.

Allegedly, petitioners along with other unknown 20-25 persons entered into informant's house and began to abuse and



assault him and when his family members came to rescue him, all accused persons assaulted the informant's family. They also destroyed the wheat and maize crops kept in the house.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have not committed any offence. They have been falsely implicated in this case with malicious intention. No such occurrence as alleged ever took place. The occurrence took place on 20.05.2022 but the complaint was lodged after delay of about 24 days on 13.06.2022 upon which FIR was lodged on 05.07.2022. This creates serious doubt about the genuineness of occurrence. There is case and counter case between the parties. It is further submitted that as per the FIR, the accused persons killed the son of the informant and concealed his dead body but on a matter of the fact Rohit is an accused in Budhu Chak P.S. Case No. 31/2022 and he was absconding but was apprehended by the police and was remanded in this case on 24.07.2022. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the



event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Budhuchak P.S. Case No.38 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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