

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65513 of 2023

Arising Out of PS. Case No.-466 Year-2022 Thana- JAMUI District- Jamui

Narayan Tanti S/O Anik Tanti, resident of Vill Amari Ps Khaira, Dist- Jamui
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Jamui P.S. Case No. 466 of 2022 dated 11.09.2022 instituted for the offence punishable under Sections 399, 402, 120(B)/34 of the Indian Penal Code and Section 25(1-B)a, 26, 35 of the Arms Act.

3. The prosecution case, in short, is that on 11.09.2022 at about 11.30, on getting secret information, the informant along with his associates reached at the place of occurrence and apprehended three persons, namely, Devesh Kumar Rawat, Ranveer Kumar Mandal @ Pappu and Rocky Thakur, while petitioner and one other person managed to escape away. It is alleged that one loaded country made pistol and one live cartridge from the possession of Devesh Kumar Rawat, one loaded country made pistol from the possession of Ranveer Kumar Mandal and



one live cartridge from the possession of Rocky Thakur, have been recovered. It is also alleged that petitioner and other co-accused persons were making conspiracy to murder Manoj Mandal and Dharmendra Yadav.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner has not been arrested from the spot. Only on the basis of the disclosure made by the apprehended persons, the petitioner has been made accused in this case. Learned counsel for the petitioner submits that nothing has been recovered from the possession of the petitioner. Lastly, it has been submitted that petitioner has one criminal case against him.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Jamui P.S. Case No. 466 of 2022, he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jamui, subject to condition as laid down under Section 438(2) of the



Cr.P.C, as well as the following conditions:-

I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. 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.

(Khatim Reza, J)

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