

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63973 of 2022

Arising Out of PS. Case No.-57 Year-2021 Thana- CHANDAN District- Banka

PAPPU TANTI Son of Mohan Tanti Resident of Village- Paharpur, P.S.-
Chandan, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-02-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections petitioner seeks bail 341, 323, 307, 504,
506/34 of IPC.

Allegations have been made against the accused
persons that they stopped the informant's husband while he was
returning and wanted money for refreshment and upon his
refusal to do so he was assaulted.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent. He has falsely been
implicated in the present case. He further submits that as per
allegation, the petitioner and co-accused person, namely, Mohan
Tanti assaulted the husband of the informant and the informant.



Furthers submits that it appears from the FIR that it is not clear that who assaulted the husband of the informant and the informant. There is general and omnibus allegation against the accused persons. Further submits that the injury report of the informant suggests that two injuries were found on the person of the injured, one is simple in nature and another is grievous in nature. Further submits that on the same allegation, co-accused, namely, Mohan Tanti has been granted bail vide order dated 31.03.2022 passed in Cr. Misc. No.51475 of 2021 by a Coordinate Bench of this Hon'ble Court and the case of the petitioner is on similar footing and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 04.08.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Chandan P.S. Case No.57 of 2021 with the following conditions:-

(1) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.¹

(3) 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.

(Rajesh Kumar Verma, J)

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