

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4537 of 2023

Arising Out of PS. Case No.-122 Year-2020 Thana- ALOULI District- Khagaria

VIKRAM TANTI @ BIKRAM TANTI @ VIKRAM DAS Son of Upendra
Tanti Resident of Village - Dharharba, P.S.- Bithan, District - Samastipur
(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Adv.

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 18-08-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 23.02.2021 seeks
bail, in connection with S. Tr. No.196/2021, arising out of
Suppl. Alauli P.S. Case No.122/2020, dated 11.04.2020, for the
offences punishable under Sections 302, 120B, 307/34 of the
Indian Penal Code & Section 27 of the Arms Act.

3. According to prosecution case, the petitioner along
with other co-accused persons are alleged to have made
indiscriminate firing due to which the brother of the informant
sustained serious injury and during course of treatment he died.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. He
further submits that the allegation as alleged in the F.I.R. is false



and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that as per allegation in the F.I.R., the petitioner and other co-accused persons made indiscriminate firing upon the deceased and there is no specific allegation in the F.I.R. that who has fired first upon the deceased. It appears from the F.I.R. that there is general and omnibus allegation against all the accused persons including the petitioner.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and other co-accused persons that they have indiscriminately fired upon the deceased and the postmortem report also suggest that the deceased has received six bullet injury and the bail petition of co-accused, namely, Kuldip Yadav has been rejected by the co-ordinate Bench of this Court vide order dated 14.02.2022 passed in Cr. Misc. No. 37958/2021 and apart from that the petitioner has also carried 11 criminal antecedent other than the present one.

6. Considering the fact that there is direct and specific allegation against the petitioner and the other co-accused persons, I am not inclined to enlarge the petitioner on bail in



connection with S. Tr. No.196/2021, arising out of Suppl. Alauli
P.S. Case No.122/2020, pending in the court of learned
Additional Sessions Judge-Vth, Khagaria.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

amit/-

U		T	
---	--	---	--

