

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7358 of 2024

Arising Out of PS. Case No.-28 Year-2023 Thana- ANDHRATHARHI District- Madhubani

GOPAL TANTI S/O- SRI BILTU TANTI @ DODHAI TATI R/O-
VILLAGE- TILAI, P.S.- ANDHRATHARHI, DIST.- MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Adv.

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Andhratharhi P.S. Case No. 28 of 2023 instituted under Sections 341, 323, 324, 448, 504, 506, 354(B), 379 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner along with other co-accused, armed with lethal weapons entered the house of the informant at night and abused the informant. The petitioner is alleged to have given an iron rod blow on the head of the informant and also assaulted the neighbour, Raj Kumar Das, hence, the present case was lodged by the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this

case. Further submission is that there is land dispute between the parties and the informant has lodged the F.I.R. after nine days of the occurrence without disclosing any reason. The petitioner has no criminal antecedent. Petitioner and his father too have been assaulted by the prosecution side for which the petitioner has also filed a case against the informant.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned J.M. Ist , Jhanjharpur, Madhubani in connection with Andhratharhi P.S. Case No. 28 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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