

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33105 of 2024

Arising Out of PS. Case No.-150 Year-2020 Thana- NAYA RAM NAGAR District- Munger

1. Kundan Tanti @ Kundan Kumar son of Dinesh Tanti Resident of Village- Ram Nagar Morcha, P.S.- Naya Ramnagar, District- Munger
2. Chandan Tanti Son of Dinesh Tanti Resident of Village- Ram Nagar Morcha, P.S.- Naya Ramnagar, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 27-09-2024 1. Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.
2. This application, for grant of regular bail, arises out of Naya Ram Nagar Police Station Case No. 150 of 2020, dated 27.08.2020, disclosing offences under Sections 147/148/149/302/379 of the Indian Penal Code and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that on 25.08.2020, in the night, while the informant, along with his wife and cousin brother, namely Rakesh Kumar Tanti (now deceased), was going to his house and



when they reached near Ashiqepur Market and stopped at a shop, the petitioners, along with other accused persons, armed with fire arm weapons, started firing upon the cousin brother of the informant, due to which he sustained fire arm injury and fell unconscious on the spot. Subsequently, the deceased was taken to the hospital and during the course of treatment he succumbed to injury.

4. Learned counsel for the petitioners submits that the petitioners has not committed any offence in the manner alleged and have falsely been implicated in the present case due to village rivalry. The allegation against the petitioners are general and omnibus in nature. He next submits that co-accused Gorakh Tanti has been granted regular bail by a Co-ordinate Bench of this Court. He further submits that during the course of investigation no cogent materials have been found by the police against the petitioners. The petitioners are in custody since 22.12.2023
5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the petitioners were absconding and after three years they have been arrested, therefore, there is chance that the petitioners will abscond



again and/or tempering with the evidence.

6. Regards being had to the submissions made by the parties and taking into consideration the seriousness of offence and the fact that the petitioners were absconding and after three years they have been arrested and there is likelihood that the petitioners will abscond and/or tamper with the evidence, accordingly, I am not inclined to grant regular bail to the petitioner at this stage.
7. This application stands dismissed.
8. However, as per the report of Addl. District and Sessions Judge-III, Munger, the trial is likely to be concluded within a period of nine months. Accordingly, the petitioners will be at liberty to renew their prayer for bail after nine months from today, if the trial is not concluded.

(Anil Kumar Sinha, J)

ashwani/-

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

