

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 54909 of 2024

Arising Out of PS. Case No.-148 Year-2022 Thana- NAYA RAM NAGAR District- Munger

Kundan Tanti @ Kundan Kumar Son of Dinesh Tanti R/V- RAM NAGAR
MORCHA,P.S.- NAYA RAMNAGAR, DISTT.- 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.Brajendra Nath Pandey

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 08-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Naya-Ram-Nagar P.S. Case No. 148 of 2022 dated 07.08.2022 registered for the offences punishable u/ss 302, 120B read with Section 34 of the Indian Penal Code and u/s 27 of the Arms Act

3. As per the prosecution case, the petitioner and the co-accused persons along with four unknown miscreants took out pistol from their waist and started firing indiscriminately which hit the head, stomach and back of the husband of the informant leading to his death.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. It is further submitted that as per the prosecution case, three persons including the petitioner and four unknown persons fired on the informant's husband but from perusal of the postmortem report, it is evident that the doctor has opined that the deceased had sustained only two injuries. The charge sheet has already been submitted in the present case. The co-accused person has already been granted bail by the Coordinate Bench of this court vide order dated 25.07.2023 passed in Cr. Misc. No. 45962 of 2024. The petitioner has three criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 19.09.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, as well as the allegation being general and omnibus against the petitioner, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge, Munger in connection Naya Ram Nagar P.S. Case No. 148 of



2022, with further condition:-

(i) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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