

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60527 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- GRIYAK District- Nalanda

1. Anjali Kumari daughter of Raja Ram Tanti R/O Vill.- Nawada, P.S.- Nawada, Dist.- Nawada.
2. Amit Kumar Son of Raja Ram Tanti R/O Vill.- Nawada, P.S.- Nawada, Dist.- Nawada.
3. Manju Devi Wife of Balmiki Tanti R/O Vill.- Gobardhan Bigha, P.S.- Giriyak, Dist.- Nalanda.
4. Manoj Tanti Son of Kishori Tanti R/O Vill.- Gobardhan Bigha, P.S.- Giriyak, Dist.- Nalanda.
5. Chunnu Tanti @ Chunnu Kumar Son of Balmiki Tanti R/O Vill.- Gobardhan Bigha, P.S.- Giriyak, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmanand Prasad, Adv.
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-09-2024 Heard learned Counsel for the petitioners and

learned APP for the State.

2. The petitioners apprehend their arrest in connection with Giriyak P.S. Case No. 98 of 2024 for the offence registered under sections 147, 148, 149, 341, 323, 324, 354, 307 and 379 of the IPC lodged on 16.03.2024 by the informant Vipin Tanti.

3. As per the prosecution story, the informant alleged the due to land dispute, the incident took place in which not only the accused persons misbehaved/beaten his wife, they also



attacked the informant causing injuries which include the daughter also, as the villagers came, they were rescued. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that all the family members have implicated and there is omnibus allegation against them of beating. He has further taken this Court to the order of the learned Sessions Judge to show that the injury has been found to be simple in nature.

5. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 10,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that allegation against him is of beating the informant, his wife as also the daughter.

7. Though the allegation is there, the petitioners include the ladies as also the young boys, none of them have



criminal antecedent, the injuries have been found to be simple in nature, FIR is there, they will be facing the trial, this Court is inclined to grant them the anticipatory bail with conditions subject to payment of Rs. 10,000/- to Vipin Tanti as undertaken by the learned counsel for the petitioners to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

8. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Nalanda at Bihar Sharif in connection with Giriyak P.S. Case No. 98 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;



(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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