

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60820 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- EAST COLONY District- Munger

1. Vishnu Tanti Son of Subodh Tanti R/o vill - Bari Ashikpur, P.s. - East Colony, Distt. - Munger
2. Chandan Tanti Son of Subodh Tanti R/o vill - Bari Ashikpur, P.s. - East Colony, Distt. - Munger
3. Sumesh Tanti Son of Subodh Tanti R/o vill - Bari Ashikpur, P.s. - East Colony, Distt. - Munger
4. Bablu Tanti Son of Subodh Tanti R/o vill - Bari Ashikpur, P.s. - East Colony, Distt. - Munger
5. Subodh Tanti Son of Late Shital Tanti R/o vill - Bari Ashikpur, P.s. - East Colony, Distt. - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms.Indu Bhushan, Adv.
For the Opposite Party/s	:	Mr.Raj Ballabh Singh, APP
For the Informant	:	Mr. Kumar Kamal Nayan , Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

6 10-04-2024 Heard learned counsel for the petitioners and learned APP for the State as also counsel for the Informant. Perused the case diary.

2. The petitioners seek bail in connection with East Colony P.S. Case No. 15 of 2023 instituted for the offences under Sections 147, 148, 149, 307, 302, 379, 504, 506, 509 of the Indian Penal Code.

3. As per prosecution case, the accusation against the accused persons including the petitioners is of assaulting the



brother of the Informant by means of lathi, danda and rod etc.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. He further submits that there is no direct or specific allegation of any overt act against the petitioners rather the same are general and omnibus in nature. There was a free fight and both the parties have received injury in the scuffle. The petitioner nos. 1, 3 & 4 have no criminal antecedent whereas petitioner no.2 has one criminal antecedent in which he is on bail and the petitioner no.5 has also one criminal antecedent in which he has been acquitted. The petitioner no.1 is in custody since 09.03.2023 whereas petitioner nos. 2, 3 & 4 are in custody since 17.03.2023 and the petitioner no.5 is in custody since 05.03.2023.

5. Learned counsel for the petitioners again submits that the co-accused Ravi Tanti, Raja Tanti, Rajesh Tanti, Rimjhim Kumari, Pradip Tanti and Maya Devi have been granted bail by this Court vide order dated 04.12.2023 passed in Cr. Misc. No. 76926 of 2023.

6. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of



bail to the petitioners stating that the offence is serious in nature.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the co-accused having been granted bail by this Court, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with East Colony P.S. Case No. 15 of 2023 .

(Rudra Prakash Mishra, J)

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