

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66009 of 2023

Arising Out of PS. Case No.-504 Year-2022 Thana- JAMUI District- Jamui

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1. GOPAL TANTI SON OF BRAJLAL TANTI RESIDENT OF VILLAGE - LATHANE, P.S. - JAMUI, DISTRICT - JAMUI
 2. ASHISH TANTI SON OF BRAJLAL TANTI RESIDENT OF VILLAGE - LATHANE, P.S. - JAMUI, DISTRICT - JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Raj Kumar, Adv.
For the Opposite Party/s :	Mr. Dilip Kumar No.1, APP.
	Mr. Akash Raj, Adv.
	Mr. Arun Bharti, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-01-2024 Heard Mr. Raj Kumar, learned counsels for the petitioners and Mr. Dilip Kumar No.1, learned A.P.P. for the State assisted by Mr. Akash Raj, learned counsel for the informant.

2. Learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.1.

3. Permission is granted.

4. Accordingly, this application is dismissed as withdrawn in respect of petitioner no.1 only.

5. However, if petitioner no.1 surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by



this order.

6. Now this application survives for petitioner no.2

7. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 354, 307, 325, 504, 506/34 of the Indian Penal Code.

8. Allegedly, all the accused persons including the petitioner are said to have abused and assaulted the informant's side brutally with deadly weapons due to which they have sustained several injuries.

9. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. Both the parties are agnates. Petitioner has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. The informant, namely, Amrawati Devi has sustained simple injuries except injury no.1, which is grievous in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

10. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.



11. Having regard to the facts and circumstances of the case, as both the parties are agnates and there is admitted land dispute between the parties, let the above named petitioner no.2, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Jamui P.S. Case No. 504 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

12. Accordingly, this application stands partly allowed.

(Anjani Kumar Sharan, J)

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