

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65611 of 2023

Arising Out of PS. Case No.-324 Year-2021 Thana- LAXMIPUR District- Jamui

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Amarjeet Tanti, (Male), aged about 37 years, S/O Radhe Shyam Tanti, R/O
Village- Kevali, P.S.. Laxmipur, Dist. Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar Sinha, Advocate

For the Opposite Party : Mr. Arun Kumar Singh, A.P.P.

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

ORAL ORDER

6 22-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Sessions Trial Case No. 657 of 2022, arising out of Laxmipur
P.S. Case No. 324 of 2021 dated 02.10.2021 registered for the
offences punishable under Section 302 of the I.P.C. and Section
27 of the Arms Act.

3. As per the prosecution case, on 01.10.2021 at about
12.00 P.M., the petitioner who is the husband of the informant's
sister is alleged to have killed her by means of bricks, stones
and thereafter shot her dead.

4. Vide order dated 19.06.2024, a report regarding the
present stage of trial in connection with Sessions Trial No. 657



of 2022, arising out of Laxmipur P.S. Case No. 324 of 2021 from the court of learned Additional Sessions Judge-IV, Jamui, was called for and in compliance of the aforesaid order dated 19.06.2024, vide Letter No. 35 dated 25.06.2024, a report regarding the present stage of the trial has been received from the court of learned Additional District and Sessions Judge-VI, Jamui, stating therein that the charge has been framed against the accused in this case on 03.05.2023, summon has been issued to the witnesses on 02.06.2023 vide DB No. 718/2023 & DB No. 720/2023 and only one witness has been examined till now. The bailable warrant against the non-official witnesses has been issued vide DB No. 1176 on 16.10.2023 and at present the case is running at the stage of the prosecution evidence. The conclusion of the trial will take time.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the informant is not the eye witness to the alleged occurrence. The marriage took place between the petitioner and the deceased 14 years ago and from their wedlock the petitioner has three children. It is further submitted that the petitioner is a *Rajmistri* and had gone to Munger for earning of his livelihood and he returned after an information being given



by his children on mobile phone about the death of his wife then he came in the next morning and found the dead body of his wife lying near garbage which is 20 K.M. far away from his house which would be evident from the inquest report. It is further submitted that there was no blood stained earth was seized by police from the place of occurrence which shows that the deceased might be killed by someone else and threw her dead body at the place of occurrence. The petitioner has four criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 10.05.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner who is the husband of the deceased.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to 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 learned Additional Sessions Judge-IV, Jamui in connection with Sessions Trial Case No. 657 of 2022, arising out of Laxmipur P.S. Case No. 324 of 2021 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.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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