

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4292 of 2025

Arising Out of PS. Case No.-113 Year-2024 Thana- DHARHARA District- Munger

1. Ajay Tanti S/o- Late Rajendra Tanti @ Rajo Tanti Village- Pachrukhi PS- Dharahra Distt- Munger
2. Kundan Kumar S/o- Late Rajendra Tanti @ Rajo Tanti Village- Pachrukhi PS- Dharahra Distt- Munger
3. Shyam Kumar S/o- Late Gopal Tanti Village- Pachrukhi PS- Dharahra Distt- Munger
4. Manish Kumar S/o- Late Gopal Tanti Village- Pachrukhi PS- Dharahra Distt- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with
Dharahara P.S. Case No. 113 of 2024 instituted for the offences
under Sections 147, 149, 302, 380 of the Indian Penal Code.

3. Allegation against the accused persons including
the petitioners of assaulting the informant's mother to death.

4. Learned counsel for the petitioners submitted that
the petitioners have falsely been implicated in the present case.
Learned counsel further submitted that there is a delay of one



day in lodging the FIR without plausible explanation, which in itself, raises doubt over the prosecution story. It is further submitted that informant is not the eye-witness to the occurrence. Learned counsel for the petitioners submits that general and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. There is land dispute between the parties. It has been submitted on behalf of the petitioners that the petitioners are in custody since 02.09.2024 and have no criminal antecedent. Other co-accused has been granted bail by this Court *vide* order dated 09-12-2024, passed in Cr. Misc. No. 65006 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, no specific allegation of assaulting the deceased against this petitioners as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners 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 Dharahara P.S. Case



No. 113 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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