

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36094 of 2025

Arising Out of PS. Case No.-312 Year-2024 Thana- KHAGARIA District- Khagaria

1. Usha Devi, aged about 60 years, Female, W/o- Jogo Tanti @ Jago Tanti
 2. Shatrudhan Tanti, aged about 25 years, Male, S/o- Jogo Tanti @ Jago Tanti
 3. Pankaj Tanti, aged about 35 years, Male, S/o- Jogo Tanti @ Jago Tanti
 4. Sanjay Tanti @ Sanjeev Tanti, aged about 28 years, Male, S/o- Jogo Tanti @ Jago Tanti
 5. Bala Ram Tanti @ Bala Ram Sharma, aged about 30 years, Male, S/o- Mahendra Tanti
 6. Subhash Tanti @ Subhash Kumar, aged about 19 years, Male, S/o- Ramanand Tanti
- All are R/o- Ramuniya Ward No 2 PS- Khagaria (Gangour) District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh, Advocate
For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-06-2025 Heard Mr. Rahul Singh, learned counsel appearing on behalf of the petitioners and Mr. Surendra Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Khagaria (Gangour) P.S. Case No. 312/2024 registered for the offence(s) punishable under Sections 147, 148, 342, 323, 324, 307, 506, 504 and 379 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioners along with other co-accused persons assaulted the



informant's sides, as a result of which, they sustained injuries.

Both the parties and *Gotia*.

4. Learned counsel appearing on behalf of the petitioners submitted that a complaint case was pending between the parties, which led to lodging of the present FIR, in which both the parties entered into fierce fight causing injury to each-other. There is case and counter case between the parties. Petitioner no.1 has one criminal antecedent, in which she is on bail, whereas petitioners no.2 to 6 have clean antecedents. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties and having perused the FIR, I find that both the parties entered into fierce fight and in the self-defence, petitioners may have caused some injury on the persons of the informant's side without intention. Petitioners have brought on record injury report of the injured by way of Annexure 4 series from which it appears that doctor has opined that injured/ Ram Tanti, Pappu Tanti and Indal Tanti have sustained simple injury. Petitioner no.1, who is a lady, has one criminal antecedent in which she is on bail, whereas petitioners no.2 to 6 have clean



antecedents. I am of the opinion that petitioners have, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria in connection with Khagaria (Gangour) P.S. Case No. 312/2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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