

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37727 of 2025

Arising Out of PS. Case No.-32 Year-2024 Thana- CHAUTHAM District- Khagaria

Naresh Tanti S/O Late Sukho Tanti R/O Village - Madhya Telounchh, PS -
Choutham, Distt-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Choutham P.S. Case No. 32 of 2024 registered on 07.02.2024 for the alleged offences under Sections 302, 120B/34 of the Indian Penal Code.

03. As per prosecution case, brother of the informant used to work as labourer under the co-accused Muneshwar Tanti. Some dispute arose over non-payment of dues and return of money given as loan by the deceased to Muneshwar Tanti and the petitioner and other co-accused persons, under a conspiracy, murdered the brother of the informant and threw his dead body in the *Lichi* orchard of one Bhuwneshwari Roy.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. There is general and omnibus allegation against the petitioner and other co-accused persons and only specific allegation is against co-accused Muneshwar Tanti for taking some money from the deceased and not making payment of dues to him while he was working as his labourer. The main thrust of allegation is against co-accused Muneshwar Tanti and the petitioner has been roped in this case as he is in acquaintance of co-accused. Learned counsel further submits that having regard to these facts, learned co-ordinate Bench of this Court, vide order dated 19.11.2024 passed in Criminal Misc. No. 56964 of 2024, has granted bail to a similarly placed co-accused, Bipin Tanti @ Bipin Sharma. This petitioner is having antecedent of five cases but he is on bail in all the cases. The petitioner is in custody since 14.01.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that there is specific allegation against the petitioner and other co-accused persons that they murdered the brother of the informant and threw his dead body.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the general and vague nature of allegation and also considering the lack of material to connect the petitioner with the offences as



alleged and further considering the grant of bail to similarly placed co-accused, period of custody of the petitioner along with submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Choutham P.S. Case No. 32 of 2024 (G.R. No. 366 of 2024), subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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