

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44898 of 2025

Arising Out of PS. Case No.-10 Year-2024 Thana- BELHAR District- Banka

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1. Vijay Tanti @ Vijay Kumar Tanti S/o- Kailash Tanti Resident of village- Kadwara, P.O.- Darha P.S- Belhar, District- Banka, Bihar
 2. Ajay Kumar Tanti S/o- Kailash Tanti Resident of village- Kadwara, P.O.- Darha P.S- Belhar, District- Banka, Bihar
 3. Uday Kumar Tanti S/o- Kailash Tanti Resident of village- Kadwara, P.O.- Darha P.S- Belhar, District- Banka, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjay Kumar, Advocate
	:	Mr. Siddharth Kumar, Advocate
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-07-2025 Heard Mr. Ranjay Kumar, learned counsel for the petitioners and Mr. Jagdhar Prasad, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Belhar P.S. Case No.10 of 2024, F.I.R. dated 08.01.2024 for the offences punishable under Sections 341, 323, 307, 354, 379, 504, 506/34 of Indian Penal Code.

3. According to prosecution case, it is alleged that the petitioners along with other co-accused persons have assaulted the informant and when the family members of the informant came to rescue, the accused persons assaulted them also. It is further



alleged that one of the co-accused took gold ornaments from the daughter-in-law of the informant.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR that due to admitted land dispute the present occurrence has taken place and there is case and counter case between the parties and petitioners and informant are agnates to each other. From bare perusal of the FIR it appears that there is no specific allegation of assault or overt act against these petitioners rather allegation against them are general and omnibus and specific allegation of assault is attributed against co-accused person, namely, Kailash Tanti.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and there is case and counter case between the parties and there is no specific allegation of assault against the petitioners, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in



connection with Belhar P.S. Case No.10 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

- i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.
- ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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