

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54571 of 2025

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

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Bishundeo Tanti @ Bishnudeo Tanti S/O Late Jagrup Tanti R/O Vill.- Bari
Telaunchh, P.S.- Choutham, Dist.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Adv.

For the Opposite Party/s : Mr.Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks bail in connection with
Choutham P.S. Case No. 32 of 2024 registered for the offences
punishable under Sections 302, 120B, 34 of the Indian Penal
Code.

3. As per prosecution case, informant's younger
brother was employee of Muneshwar Tanti and some dues was
pending against the employer Muneshwar Tanti. It is further
alleged that informant's younger brother was killed by petitioner
and others by hatching conspiracy and his dead body was



recovered from the Litchi orchard of Bhuneshwari Rai.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence as alleged in the first information report and petitioner has been falsely implicated in this case. As per version of the prosecution story, the whole prosecution story centers around Muneshwar Tanti and petitioner has no role to play so far as the whole prosecution story is concerned. It is submitted that dues amount was pending against co-accused and petitioner has nothing to do with the alleged dues. Petitioner has not participated in any way in the conspiracy as alleged in the F.I.R. Petitioner is in custody since 11.02.2025. Petitioner has criminal antecedent of one case in which he is already on bail. It has been orally submitted that charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence. Learned counsel for the petitioner submits that co-accused Naresh Tanti, Bipin Tanti and Kundan Tanti have already been granted bail by different co-ordinate Benches of this Court in Cr. Misc. No. 37727 of 2025, 56964 of 2024 and 45239 of 2025 respectively and the case of the present petitioner stands on similar and identical footing and on the principle of parity petitioner also deserves to be granted bail.



5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner. It is submitted that petitioner is one of the party who has acted in conspiracy to kill informant's brother, and hence, he does not deserve to be granted bail.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and the fact that similarly situated co-accused persons have been granted bail by different co-ordinate Benches of this Court, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Khagaria in connection with Choutham P.S. Case No. 32 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive



dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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