

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53556 of 2025

Arising Out of PS. Case No.-97 Year-2024 Thana- Kharagpur District- Munger

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Baiju Tanti @ Bauna Tanti @ Bouna Tanti S/o- Late Mannu @ Mannu Tanti
@ Manohar Tanti Village- Dharampur, P.S. Shambhuganj, District-Banka
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-09-2025 Heard the parties.

2. The petitioner seeks bail in connection with Kharagpur P.S. Case No. 97 of 2024 registered for the offence under Sections 364/302/201/34 of the I.P.C.

3. The petitioner is not named in the F.I.R. and is in custody since 26.04.2025.

4. As per the FIR, named co-accused person Janardan Tanti called son of informant from his home thereafter he was found missing. The dead body of son of the informant was recovered on 18.03.2024 by police, which informant identified on his mobile phone as photograph of dead body was sent by police of concerned police station through whatsapp, whereafter a suspicion was raised against several named accused persons namely R.K. Tanti, Janardan Tanti, Kundan Tanti, Rudal Tanti



etc.

5. Learned counsel appearing on behalf of the petitioner submitted that the name of this petitioner was transpired during investigation on the basis of confessional statement of co-accused Kundan Tanti, in furtherance of which no incriminating material recovered/ surfaced as to connect the petitioner *prima facie* with the present crime in question. It is submitted that the son of the informant was in relationship with his cousin sister and therefore he was killed by his own uncle namely Janardan Tanti, who is the named accused and this petitioner only being agnate of Janradan Tanti, was implicated falsely as a matter of afterthought. Considering this aspect, similarly situated co-accused Kundan Tanti @ Kundan Kumar Tanti was granted bail by one of the learned Co-ordinate Bench of this Court in Cr. Misc. No. 32568 of 2025 vide order dated 06.08.2025 and therefore as a matter of judicial parity, this petitioner also deserves bail. While concluding the argument, it is submitted that petitioner found involved in one more criminal case where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.



6. Learned APP does not disputed the facts submitted by learned counsel for the petitioner.

7. In view of aforesaid facts and circumstances and taking note of the fact as save and except suspicion out of confessional statement of co-accused nothing transpires against petitioner *prima facie* suggesting his involvement with present crime in question, coupled with fact that charge-sheet has already been submitted where petitioner is in custody since 26.04.2025, accordingly petitioner above named, is directed to be released on bail in connection with Kharagpur P.S. Case No. 97 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of B.N.S.S.

(Chandra Shekhar Jha, J)

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