

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56481 of 2025

Arising Out of PS. Case No.-150 Year-2020 Thana- NAYA RAM NAGAR District- Munger

1. Kundan Tanti @ Kundan Kumar S/O Dinesh Tanti R/O Village- Ram Nagar Morcha, P.S- Naya Ram Nagar, District- Munger.
2. Chandan Tanti S/O Dinesh Tanti R/O Village- Ram Nagar Morcha, P.S- Naya Ram Nagar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh, Adv.

For the Opposite Party/s : Mr. Binod Kumar No.3, App.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-08-2025 1. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of regular bail, arises out of Naya Ram Nagar Police Station Case No. 150 of 2020, disclosing offences under Section 147, 148, 149, 302, 379 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, as per the First Information Report, is that on 25.08.2020, in the night, while the informant, along with his wife and cousin brother. namely Rakesh Kumar Tanti (now deceased), was going to his house and when they reached near Ashiqepur Market and stopped at a shop, the petitioners, along with other accused persons, armed with fire



arm weapons, started firing upon the cousin brother of the informant, due to which he sustained fire arm injury and died.

4. Learned counsel for the petitioners submits that similarly situated co-accused persons namely Gorakh Tanti and Lalu Tanti have been granted regular bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 18591 of 2021. The bail application of the petitioners was earlier rejected by this Court on 27.09.2024 on the ground that the petitioners were declared absconder and they were absconding for three years. However, this Court granted liberty to the petitioners to renew their prayer for bail if the trial is not concluded within a period of nine months. Learned counsel relies upon the impugned order and submits that learned District and Additional Sessions Judge-III, Munger, in his order, dated 27.06.2025, has taken note of the fact that summons, bailable warrants and non-bailable warrants has been issued against the prosecution witnesses, but no prosecution witness has appeared before the Court.

5. Having heard learned counsel for the parties and taking into consideration the fact that the petitioners are in custody since 22.12.2023, this is the second attempt for grant of regular bail on behalf of the petitioners and no substantial progress in the trial has been made as yet, accordingly, I am



inclined to grant regular bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned District and Additional Sessions Judge-III, Munger, in connection to the Naya Ram Nagar Police Station Case No. 150 of 2020

8. This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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