

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71897 of 2024**

Arising Out of PS. Case No.-12 Year-2024 Thana- KHAGARIA District- Khagaria

1. Jagat Tanti Son of Late Chhabu Tanti
2. Avinash Kumar @ Avinash Tanti Son of Jagat Tanti  
Both are Resident of Village- Sanhauli, Ward No 25, PS- Khagaria  
(Chitraguptanagar), District -Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

5      14-02-2025                      Heard learned counsel for the petitioners as well as  
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Khagaria (Chitragupta Nagar) P.S. Case No.12 of 2024, F.I.R. dated 06.01.2024 registered for the offence punishable under Sections 341, 323, 325, 307, 448, 354, 379, 504, 506/34 of the Indian Penal Code.

3. The prosecution case, in brief by informant Arvind Kumar is that on 04-01-2024 at about 07.00 PM. he was in his house In the meantime FIR named accused persons including petitioners came being armed with iron rod, Khanti, sword and country made pistol and started abusing, broke the door and entered into his house and told to withdraw Chitragupt Nagar



P.S. Case No.752/2017 and on refusal, on the order of petitioner Raushan Tanti, co-accused Rocky assaulted with butt of country made pistol on his head causing head injury. Petitioner Avinash assaulted with sword on the head of his father which his father stopped by his hand causing injury on his hand. Further co-accused Raju Tanti assaulted on the head of his brother Kundan Kumar, accused persons caught his mother and threw on the ground assaulted with fists, slaps and iron rod. Further Charitar Tanti and Jagat Tanti snatched gold chain worth Rs. 30,000/- (thirty thousand) from his neck.

4. Learned counsel for the petitioners submit that the present case is counterblast of Khagaria (Chitragupta Nagar) P.S. Case No.11 of 2024 filed by the wife of the petitioner no.1 against the informant and their family members. Further submits that although the petitioners are named in the FIR but it appears from the FIR that there is no specific allegation of any assault or overt-act attributed against the petitioners no.2 that he has assaulted to the father of the informant, although father of the informant received the injury, but the injury report suggests that the injuries are simple in nature caused by the hard and blunt substance.

5. Learned APP for the State, on the other hand



vehemently opposed the prayer for anticipatory bail of the petitioners and submits that there is direct allegation against the petitioner no.2, apart from the aforesaid the petitioners have carries one case other than the present one, but fairly submits on the basis of paragraph-3 of the petition that petitioner are on bail in the aforesaid case.

6. Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail 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, Khagaria in connection with Khagaria (Chitragupta Nagar) P.S. Case No.12 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure 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 bonds shall be cancelled by the Court below.

(ii) If the petitioners tamper with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of their anticipatory 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 antecedents, the court below shall take step for cancellation of anticipatory 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)**

Prakash Narayan

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

