

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89786 of 2024

Arising Out of PS. Case No.-160 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

1. Mukesh Tanti S/O Shankar Tanti Resident of Village- Barhari, PS-Goradih, District- Bhagalpur
2. Sanni Tanti @ Sanni Kumar S/O Shankar Tanti Resident of Village- Barhari, PS-Goradih, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar No.6,Adv.

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-01-2025 Heard Mr. Ashok Kumar No.6, learned counsel for the petitioners and Mr. Choubey Jawahar, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Jagdishpur (Goradih) P.S. Case No. 160/ 2021 dated 05.05.2021 registered for the offence(s) punishable under Section(s) 147, 149, 341, 323, 307, 325, 447, 504 and 506 of the IPC and section ¾ of Witch Craft Act (DAAIN Act).

3. The main submissions advanced by learned counsel for the petitioners are that as per the allegation, petitioner No.1, Mukesh Tanti and co-accused, Mithilesh Tanti assaulted the informant's son and one Bangru Tanti by means of an iron rod



but the said allegation is not specific against the petitioner No.1 and co-accused, Mithilesh Tanti carrying similar nature of allegation has been granted bail by the then learned co-ordinate Bench of this court vide order dated 20.09.2022 passed in Cr. Misc. No. 19866 of 2022 and after the investigation, both the petitioners were not sent up by the police and it was concluded by the I.O. that the petitioner No.1 was not present at the place of occurrence rather he was at Pune for the purpose of his livelihood and so far as the allegation against petitioner No.2 is concerned, he, petitioner No.1 and Anil Tanti are alleged to have assaulted three persons by means of Lathi and there is no allegation of using any fatal weapon by the petitioner No.2. and others. It is further submitted that as per the prosecution case appearing from the case diary, only one person sustained injury and his injury has been opined to be simple in nature and both the petitioners have fair and clean antecedent.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Having considered the above submissions advanced by the petitioners' counsel and mainly taking into account the petitioners fair and clean antecedent and the privilege of bail having been granted by the then learned co-ordinate Bench of



this court vide order dated 20.09.2022 passed in Cr. Misc.. No. 19866/ 2022 to the co-accused, Mithilesh Tanti carrying similar nature of allegation, this court is inclined to grant the relief of anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Jagdishpur (Goradih) P.S. Case No. 160/ 2021 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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