

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91938 of 2025

Arising Out of PS. Case No.-120 Year-2023 Thana- MATIHANI District- Begusarai

Tuntun Tanti @ Tuntun Kumar S/o- Bisho Tanti R/V- Ramdiri Mahaji PS-
Matihani Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-01-2026 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Matihani P.S. Case No. 120 of 2023, registered for the offences punishable under Sections 323, 307, 379, 341, 504, 506 and 34 of the Indian Penal Code.

3. The allegation against the petitioner is of causing assault by means of iron rod, due to which the informant sustained serious injuries, besides there is further allegation against other accused persons of assaulting, abusing and snatching of Rs. 5,000/-

4. Learned Advocate for the petitioner submitted that the alleged occurrence took place in the evening of 01.08.2023, but the present FIR came to be instituted on 03.08.2023. Besides



the allegation against the petitioner of causing iron rod blow over the head of the informant, there is similar allegation against other accused persons of causing injury. However, the informant has sustained only two injuries, which is also simple in nature and, as such, the injury report does not corroborate the allegation. Moreover, the prayer for bail of the petitioner has been rejected only on account of his past three criminal antecedent of the year 2018, however, he is on bail in all the cases. The petitioner further undertakes before this Court that he will fully co-operate in the proceeding of the Court and will not indulge in such activities in future.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that that three criminal antecedent of the petitioner clearly suggest that he is a habitual offender carrying criminal bent of mind.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the delay in lodging of the FIR, coupled with the simple nature of injury, besides the fact that mere criminal antecedent of a person cannot be the sole ground to reject the prayer for bail, unless there is some cogent material, let the petitioner above named be released on bail, in the event of his arrest or surrender



before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate cum A.M, Begusarai in connection with Matihani P.S. Case No. 120 of 2023, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further conditions that:-

(i) One of the bailors shall be the own/close family members of the petitioner.

(ii) If the petitioner is found involve in intimidating/threatening the witnesses or the informant or would indulge in such activities in future, the informant/State shall be at liberty to file appropriate application for cancellation of his bail bond(s).

(Harish Kumar, J)

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