

IN THE COURT OF AMIT KUMAR, ADDL. SESSIONS JUDGE V, JAMUI

----- (A.B.A. No. 780/2026) -----
Arising out of Chandramandi P.S. Case No. 119/2026, District-Jamui

Shankar Tanti & Ors. Vs. State of Bihar

For Petitioners : Ld. Counsel Sri Shiv Kumar Tanti.
For The State : Ld. Addl. P.P. Sri Sanjeev Kumar Singh.

Date of order : 01.07.2026

1. The present anticipatory bail application has been filed on behalf of the accused petitioners namely (1) Shankar Tanti, aged about 48 years, S/o Shobhan Tanti, (2) Bebiya Devi, aged about 42 years, W/o Shankar Tanti, (3) Rani Devi, aged about 22 years, W/o Sharwan Tanti, and (4) Sharwan Tanti @ Sharwan Kumar, aged about 24 years, S/o Shankar Tanti, all residents of Village-Dhamaniya, P.S.-Chandramandi, District-Jamui, who apprehend arrest at the hands of Chandramandi P.S. in connection with Chandramandi P.S. Case No. 119/2026, registered under sections 126(2), 118(1), 115(2), 110, 303(2), 352, 351(2) and 3(5) of the B.N.S., and have accordingly prayed for anticipatory bail under section 482 of the B.N.S.S.

2. As per the FIR, the informant Kamdeo Tanti has alleged that on 21.05.2026 at about 8:00 A.M., on account of previous enmity, the named accused, under a pre-plan and armed with deadly weapons, came to cause the death of the informant; that the petitioner Shankar Tanti inflicted a Bhujali blow on his head; that the remaining accused assaulted one Malti Devi by means of axe, lathi and rod; that the informant thereupon became unconscious; and that all the accused persons committed theft of cash and ornaments, whereupon the present FIR came to be registered.

3. Learned counsel for the petitioners submitted that the petitioners are innocent and have been falsely implicated on account of an old land dispute between the parties, who are agnates of a common ancestor. It is submitted that no notice under section 35(3) of the B.N.S.S. has been served upon the petitioners, that there is no criminal antecedent against any of the petitioners, and that no earlier bail application of the present nature has been filed on their behalf before any court. It is further submitted that except for sections 110 and 303(2) of the B.N.S., all other sections invoked areailable, and that the ingredients of sections 110 and 303(2) of the B.N.S. are not made out, the allegation of assault by farsha being false and unsubstantiated. It is submitted that there exists a cross-case, namely Chandramandi P.S. Case No. 110/2026, arising out of the same transaction, wherein it is the petitioners' case that on the date of occurrence a goat belonging to the informant's side had entered the petitioners' house, and on objection being raised, the petitioner Bebiya Devi was assaulted by the informant side, giving rise to the said cross-case. It is submitted that the petitioners are ready and willing to furnish bail bonds to the satisfaction of the learned court below and to cooperate fully with the investigation. Therefore, it has been prayed that the petitioners may kindly be enlarged on anticipatory bail.

4. On the other hand, learned Addl. P.P. for the State has opposed the prayer for bail, though not seriously.

5. Heard both the parties in detail and perused the record including the case diary and the injury reports of the informant Kamdeo Tanti and of Malti Devi.

6. On perusal of the record, it transpires that the occurrence appears to have arisen out of an old land dispute between the parties, who are close agnates, and that there exists a cross-case, namely Chandramandi P.S. Case No. 110/2026, arising out of the same transaction, indicating a free fight between the two sides. The injury reports of both the informant Kamdeo Tanti and Malti Devi show the injuries sustained to be simple in nature, caused by a hard and blunt substance. There is no criminal antecedent against any of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, the nature of the allegations, the existence of a cross-case between the parties, the absence of any criminal antecedent and the entire facts and circumstances of the case, this Court is of the considered view that the petitioners are entitled to the privilege of anticipatory bail. Accordingly, the anticipatory bail application of the petitioners namely Shankar Tanti, Bebiya Devi, Rani Devi and Sharwan Tanti @ Sharwan Kumar is hereby allowed. It is ordered that in the event of arrest or surrender before the learned court below within six weeks from today, the above-named petitioners shall be released on bail on furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of like amount each to the satisfaction of the learned court below, with the conditions as laid down under section 482(2) of the B.N.S.S.

Let a copy of this order be sent to the learned court concerned.

Dictated
Sd/-
Addl. Sessions Judge - V,
Jamui

Copy forwarded to the court concerned

Addl. Sessions Judge - V, Jamui