

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44839 of 2019

Arising Out of PS. Case No.-46 Year-2019 Thana- PALASI District- Araria

Kamleshwar Tatma, Aged about 45 years, Male, Son of Late Klar @ Kalar Tatma, Resident of Village-Palasi, Ward No.8, P.S.-Palasi, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-07-2019 Heard both sides.

Petitioner apprehends his arrest in Palasi P.S. Case No.46 of 2019, registered under Sections 341, 323, 354B, 406, 504 read with Section 34 of the Indian Penal Code.

The informant alleged that Kamleshwar Tatma took Rs.1,00,000/- as consideration money for sale of his land to the informant but when the informant went to his house to request him to execute the sale deed or to return the money, the petitioner and others are alleged to have assaulted the informant with fists and slaps.

Learned counsel for the petitioner submits that the allegation of assault is omnibus and general against all the four accused persons. Other three accused persons have already been granted anticipatory bail by the learned Additional Sessions



Judge but the prayer for bail of the petitioner was rejected without any rhyme or reason.

It appears that same and similar allegation is made against all the four accused persons out of whom, three accused persons have already been granted anticipatory bail and there is nothing on record to show that the informant ever gave consideration money to the petitioner.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Araria in connection with Palasi P.S. Case No.46 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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