

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74491 of 2018

Arising Out of PS. Case No.-654 Year-2017 Thana- FORBESGANJ District- Araria

Santosh Tatma Son of Bidyanand Tatma, Resident of Village- Lahsanganj,
Ward No. 1, P.S. Simraha, District Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ambrish Rahul

For the Opposite Party/s : Mr.Sri Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-01-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Forbesganj (Simraha) P.S.
Case No. 654/2017, instituted for offences under Section(s) 302/34
of the Indian Penal Code.

It is alleged in the written report that on 21.08.2017 at
about 3 P.M., this petitioner along with other accused persons took
elder brother of informant with them. On the same day at about 11
P.M. in the night one Arjun Paswan informed the informant that
his brother is being assaulted by accused persons. Thereafter,
informant reached at the place of occurrence and saw this
petitioner along with other accused persons were assaulting his
brother with lathi, danda, bricks ets. Brother of informant died
during course of treatment.

Learned counsel for the petitioner has submitted that



statement of Arjun Paswan has been recorded under Section 164 Cr.P.C. wherein he has stated that brother of informant Amod Chaudhary has told him at the place of occurrence that he was assaulted by Narayan Tatma and Vidyanand Paswan etc. Arjun Paswan has not taken the name of this petitioner.

One of the co-accused, namely, Bidayanand Tatma has already been granted bail by this Court in Cr. Misc. No. 68154/2018 dated 20.12.2018. One of the co-accused, namely, Bidyanand Paswan @ Vidyanand Paswan with similar allegation has already been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 43650/2018 dated 24.09.2018.

Petitioner is in custody since 25.07.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released 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 **Chief Judicial Magistrate, Araria** in connection with Forbesganj (Simraha) P.S. Case No. 654/2017, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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