

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44640 of 2021

Arising Out of PS. Case No.-104 Year-2021 Thana- CIVIL LINE District- Gaya

Bhola Nath Tatarway S/O Late Nand Kishore Prasad R/O Mohalla-Flat
No.105, Nand Subh Apartment, P.S-Civil Lines Town, District-Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 46387 of 2021

Arising Out of PS. Case No.-104 Year-2021 Thana- CIVIL LINE District- Gaya

Amit Tatarway @ Amit Kumar S/O Bhola Nath Tatarway R/O Mohalla-Flat
No.105, Nand Subh Apartment, P.S-Civil Lines Town, District-Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 44640 of 2021)

For the Petitioner : Mr. Rama Kant Sharma, Sr. Advocate
Mr. Kamal Kumar Sinha, Advocate

For the State : Ms. Pronoti Singh, APP

For the Informant : Mr. Pramod Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 46387 of 2021)

For the Petitioner : Mr. Rama Kant Sharma, Sr. Advocate
Mr. Kamal Kumar Sinha, Advocate

For the State : Mr. Uday Pratap Singh, APP

For the Informant : Mr. Pramod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

4 14-02-2022 The matter is being heard through video conferencing

due to circumstances prevailing on account of Covid-19

pandemic.

Since both these applications arise out of Civil Line

P.S. Case No. 104 of 2021, they have been heard together and

they are being disposed of by this common order.

Heard learned senior counsel for the petitioners,



learned APP for the State including Mr. Pramod Kumar, learned counsel for the informant.

The petitioners apprehend their arrest in connection with Civil Line P.S. Case No. 104 of 2021 registered for offences under Sections 386, 420 and 504/34 of the Indian Penal Code.

Pursuant to the order dated 04.02.2022, second supplementary affidavit dated 09.02.2022 has been filed on behalf of the wife of petitioner of Cr. Misc. No.44640 of 2021.

The contents of the affidavit read as follows:-

“I, Raj Luxmi Teterway @ Rajlaxmi Tetarway, female, aged about 70, wife of Bhola Nath Tetarway, Resident of mohalla-Flat No.105 Nand Subh Apartment South Bisar Tank road near Bisar Talab New Area, P.S. Civil line, District Gaya do hereby solemnly affirm and state as follows:-

1. That I am wife of the petitioner in this case and as such am well acquainted with the facts and circumstances of this case.

2. That in compliance of the order dated 07.02.2022 passed by this Hon’ble Court personal affidavit has been filed by petitioner.

3. That the contents of this 2nd supplements application have been read and explained to me in Hindi and have understood the same which are true to my knowledge.

4. That the Annexure is photo/typed copy of its respective originals.”

Considered the affidavit of the petitioner of Cr. Misc. No.44640 of 2021 and considering the same, both these



applications for anticipatory bail are allowed.

Accordingly, let petitioners of both these applications, namely, Bhola Nath Tetarway and Amit Tetarway @ Amit Kumar, in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Civil Line P.S. Case No. 104 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.; and subject to further condition that the petitioners will not disturb the informant or any other flat purchasers in the Apartment.

It is made clear that if any of the flat purchasers in the Apartment is aggrieved by the action of the petitioners then he shall be free to move this Court for cancelling the anticipatory bail granted to the petitioners.

With the aforesaid observation and direction, both these applications for anticipatory bail are allowed.

(Sandeep Kumar, J)

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