

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65531 of 2021

Arising Out of PS. Case No.-86 Year-2015 Thana- SIKTI District- Araria

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SANTOSH KUMAR TATMA @ SANTOSH KR. TATMA S/o Jagarnath
Tatma Resident of Village- Jagir Pipra, P.S.- Sikty, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 30-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sikty
(Bardaha) P.S. Case No. 86/2015 registered for the offences
punishable under Sections 304B, 34 of the Indian Penal Code.

As per prosecution case, there is accusation against
the petitioner and others to commit murder of informant's sister
due to non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. The petitioner is brother-in-law of the deceased and he was
living separately from the deceased and her husband. There is
general and omnibus allegation the petitioner. The petitioner is
languishing in custody since 27.08.2021 and bears no criminal



antecedent. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, petitioner was living separately from the deceased as submitted, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Araria in connection with Sikty (Bardaha) P.S. Case No. 86/2015, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates



without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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