

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67756 of 2023

Arising Out of PS. Case No.-86 Year-2023 Thana- ARARIA District- Araria

1. Shyam Tatma @ Shyam Lal Tatma Son Of Nandlal Tatma @NANDLAL Tatma Resident Of Village- Paik Tola (FARAUTA), Ward No. 9, Ps- Araria, Distt- Araria
2. Devan Tatma @ Devnarayan Tatma Son Of Shyam Tatma @ Shyam Lal Tatma Resident Of Village- Paik Tola (FARAUTA), Ward No. 9, Ps- Araria, Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Nafisuzzoha, Advocate
For the Opposite Party/s :	Mr.Anil Prasad Singh, APP
For the Informant/s :	Mr Saroj Kr. Sharma, Advocate
	Mr. Anupam Bahadur, Advocate
	Mr. Vikash Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-10-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioners and learned APP for the State as well as the learned counsel for the informant.

3. The petitioners have preferred this application for grant of regular bail in connection with Araria P.S Case No. 86 of 2023 dated 31.01.2023 registered for the offence punishable u/s 302 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the



co-accused persons are alleged to have committed murder of the husband of the informant after cutting his neck with sharp edged weapon on account of land dispute.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case on mere suspicion. There is land dispute between the parties. There is no eye witness of the alleged witness. There is general and omnibus allegation against the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 25.04.2023.

6. Learned A.P.P. for the State as well as the learned counsel for the informant have vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody and the allegation being general and omnibus, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria in connection with Araria P.S Case No. 86 of 2023.



8. The application stands allowed.

(Chandra Prakash Singh, J)

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