

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79414 of 2023

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

1. SHIVAN TATMA @ SHIV NARAYAN TATMA S/o Shyam Tatma @ Shyam Lal Tatma R/o Vill - Paik Tola (Farauta), Ward No. 9, P.S. - Araria, Dist - Araria
2. Rupesh Kumar @ Rupesh Kumar Tatma S/o Shaym Tatma @ Shyam Lal Tatma R/o Vill - Paik Tola (Farauta), Ward No. 9, P.S. - Araria, Dist - Araria
3. Primal Kumar @ Nirmal Kumar Tatma S/o Shyam Tatma @ Shyam Lal Tatma R/o Vill - Paik Tola (Farauta), Ward No. 9, P.S. - Araria, Dist - Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners : Md. Naushad Uzzoha, Advocate
For the State : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-03-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code.

3. As per prosecution case, the informant suspects that these petitioners, along with other accused persons, committed the murder of husband of the informant.

4. It is submitted by learned counsel appearing on behalf of the petitioners that from bare perusal of the F.I.R., it is apparent that the informant is not an eye witness of the alleged occurrence. Only due to previous dispute between the parties,



these petitioners have falsely been implicated in this case. Police after investigation submitted final form against the petitioners and other accused persons, where after the learned court below took cognizance. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria, in connection with Araria P.S. Case No.86 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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