

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5018 of 2019

Arising Out of PS. Case No.-175 Year-2018 Thana- AMDABAD District- Katihar

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1. Sk. Tabul , aged about 60 year
 2. Noori Khatoon, aged about 25 years

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 12-03-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The Petitioners seek regular bail in connection with
Amdabad P.S.Case No. 175 of 2018, registered for offences
punishable under Sections 302 and 120 (B) of the Indian Penal
Code.

Allegation as per F.I.R. against the petitioners is that
the son of the informant had gone out and thereafter, all the
accused persons including petitioners under a criminal
conspiracy murdered her son and threw the dead body putting
in a bag.

Submission of the learned counsel for the petitioners is
that they have falsely been implicated in this case and except



suspicion, there is absolutely nothing against the petitioners and no eye witness has supported the allegation and the petitioners have no criminal antecedents.

Learned A.P.P. as well as learned counsel for the informant opposes the prayer for bail on the ground that in paragraph-138, the brother of the informant has stated that the petitioner No. 2 alongwith her husband had threatened the son of the informant and they have taken to the son of the informant along with others and thereafter, next day, the dead body has been recovered.

Heard learned A.P.P., who opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners, accordingly, prayer of anticipatory bail is rejected. However, if the petitioners surrender before the court below within a period of six weeks from the date of order and make prayer for regular bail, same will be considered by the learned court below on its own merit without being prejudiced by order of this court and also considering the fact that petitioner No. 2 is under family way and in advanced stage of pregnancy.



With the aforesaid observation, the instant petition is
disposed of.

(Vinod Kumar Sinha, J)

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