

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6327 of 2020**

Arising Out of PS. Case No.-417 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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TILKESH KUMAR @ TILKESH YADAV Son of Jagdish Yadav Resident of
Village- Khamhar Sathuwa Tola, P.S.- Muffassil, Distt- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 10-07-2020 Heard learned counsel for the petitioner, learned APP

for the State and Mr. Sandeep Kumar Gautam, learned counsel

representing the informant.

Petitioner, in the present case, is seeking anticipatory
bail in connection with Begusarai Muffasil P.S. Case No. 417 of
2019 registered for the offences punishable under Sections 364,
511 and 506/34 of the Indian Penal Code, pending in the court
of learned C.J.M. Begusarai.

Learned counsel for the petitioner submits that from a
bare perusal of the F.I.R. it would appear that the allegation
against this petitioner is that he along with co-accused Kundan
Kumar had tried to flee away with the child of the informant by
taking him in their hand but on Hulla raised they threw the child



and fled away. Learned counsel for the petitioner submits that the allegation is totally false, concocted and baseless and these allegations have been purposely made just to harass the petitioner in connection with another case.

Learned A.P.P. for the State as well as Mr. Sandeep Kumar Gautam, learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioner. It is submitted that in the present case Kurki-Japti has already been taken out against the petitioner as he is absconding and further the co-accused Kundan Kumar has surrendered and he has been granted privilege of regular bail by learned coordinate Bench of this court in Cr. Misc. No. 69757/2019.

Having Regard to the facts and circumstances of the case considering that the process under Sections 82 and 83 Cr.P.C. is said to have been issued against the petitioner and the co-accused has surrendered and enlarged on regular bail by a learned coordinate Bench of this Court, this court refuses to grant privilege of anticipatory bail to the petitioner.

In case the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today his prayer for regular bail shall be considered on it's own merit without being prejudiced by the orders of this court and keeping



in view that the co-accused has been granted regular bail by a learned coordinate Bench of this Court in the aforesaid Criminal Miscellaneous Application.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

