

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17663 of 2020

Arising Out of PS. Case No.-435 Year-2019 Thana- BARAULI District- Gopalganj

1. TINKU SAH @ TIKU KUMAR @ BIKKI Son of Subhash Sah Resident of Village- Sisai, P.S.- Barauli, District- Gopalganj.
2. Subhash Sah @ Subash Sah Son of Janak Sah Resident of Village- Sisai, P.S.- Barauli, District- Gopalganj.
3. Indrawati Devi Wife of Subhash Sah Resident of Village- Sisai, P.S.- Barauli, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 30-09-2020 Heard Mr. Umesh Kumar Singh, learned Counsel for

the petitioners and Mr. Bharat Bhushan learned Additional
Public Prosecutor for the State.

The petitioners are apprehending arrest in connection with Barauli P.S. Case No. 435 of 2019, G.R. No. 4059 of 2019 registered for the offence under Sections 363, 366A, 504, 506 and 34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners would submit that the petitioners have no criminal antecedent.

From the materials available on the record, the Court finds that there is specific allegation of kidnapping against petitioner no. 1, Petitioner No. 2 is his father and petitioner No. 3 is his mother. As such prayer for anticipatory bail of petitioner Nos. 1 and 2, namely, Tinku Sah @ Tinku Kumar @



Bikki and Subhash Sah @ Subas Sah is rejected.

However, liberty shall be available to the petitioner Nos. 1, and 2 to surrender before the Court below and pray for regular bail. In the event they surrender and pray for regular bail the Court below shall consider and dispose of the same on the same day without being prejudiced by the refusal of anticipatory bail by this Court.

So far as other petitioner Nos. 3, namely, Indrawati Devi is concerned, considering the fact that she is lady, the Court is inclined to grant bail. Let the petitioner Nos. 3, above named, in the event of arrest or surrender within one month from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj in connection with Barauli P.S. Case No. 435 of 2019, G.R. No. 4059 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Anil Kumar Upadhyay, J)

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