

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55854 of 2021

Arising Out of PS. Case No.-213 Year-2021 Thana- BIHIA District- Bhojpur

1. Tinkalashmian @ Nayamuddin Ansari, Male, aged about 22 years, S/o Ibrahim Mian @ Billar Miyan, Resident of Village- Mela Road, P.S.- Bihia, District- Bhojpur, Bihar.
2. Quamuddin Ansari, Male, aged about 35 years, Son of Ibrahim Mian @ Billar Miyan, Resident of Village- Mela Road, P.S.- Bihia, District- Bhojpur, Bihar.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Ravindra Kumar, Advocate
For the Opposite Party	:	Mr. Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Bihia P.S. Case No. 213 of 2021 for the offence registered under Sections 365, 366, 506 and 120(B)/34 of the I.P.C.

The prosecution story, in brief, is that the daughter of the informant, namely, Nisha Kumari, has been kidnapped by the accused petitioner no. 1 Tinkalash Mian on 06.06.2021 at



about 6.00 P.M. alongwith his some unknown associates. In the offences of kidnapping the family members of the petitioner no. 1 Md. Tinkalash Mian were also involved. During kidnapping the wife of the informant was alone in the house and she had went to the roof to collect clothes. The informant has further alleged that two years earlier they had also kidnapped the said Nisha Kumari for which a criminal case is pending and the accused persons were pressurizing for compromise of the said criminal case and are also giving threatening to them in this regard.

It has been submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. From perusal of the order sheet of the learned Additional Sessions Judge-XVI, Arrah, it appears that the statement of the victim has been recorded under Section 164 Cr. P.C. where she has stated that she had left the house out of her own will.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest



or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Bhojpur, Ara, in connection with Bihia P.S. Case No. 213 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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