

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48598 of 2023**

Arising Out of PS. Case No.-145 Year-2022 Thana- BEGUSARAI MUFFASIL District-  
Begusarai

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TINKU KUMAR @ HARI MOHAN KUMAR SON OF VIJAY SINGH  
RESIDENT OF VILLAGE- RAMDIRI RAM NAGAR TOLA, PS-  
MATIHANI, DISTRICT- BEGUSARAI

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

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**Appearance :**

For the Petitioner/s : Mr. Ram Sumiran Rai , Advocate  
For the Opposite Party/s : Mr. Asha Devi , APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      13-12-2023                      Heard learned counsel for the petitioner and the  
  
State.

2. Petitioner apprehends arrest in a case registered  
for the offence punishable under Section 364/64 of the Indian  
Penal Code and Section 27 of the Arms Act.

3. Prosecution story, in brief, is that thirteen known  
and two unknown persons named in the F.I.R., out of which  
seven accused persons including the petitioner are said to



have assaulted and kidnapped the informant at the point of pistol, however on arrival of the police, all the accused persons named in the F.I.R. fled away from the spot.

4. Learned counsel appearing on behalf of the petitioner submitted that no incriminating material has been recovered from the possession of the petitioner. The petitioner was never involved in the alleged kidnapping of the informant which is levelled against altogether 13 co-accused named in the F.I.R. However, no specific role has been assigned in the F.I.R. against the petitioner in the alleged kidnapping of the informant. Injury sustained by the injured is simple in nature . Similarly situated co-accused persons have already granted bail by this Court vide order dated 27.03.2023 in Cr. Misc. No. 48821 of 2022 .

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned C . J . M., Begusarai in connection



with Muffasil P.S. case No. 145 of 2022 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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