

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12581 of 2015

Arising Out of PS.Case No. -155 Year- 2013 Thana -AGLOAN (GARHAUI) District- BHOJPUR
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1. Ajay Yadav son of Tribhuwan Yadav
2. Sanjay Kumar Yadav @ Sanjay Yadav @ Sanjay Kumar Rai Son of Tribhuwan Yadav
3. Muni Singh @ Muni Jee son of Late Indradeep Singh
4. Ramesh Singh @ Jagesh Kumar Singh @ Jagesh Singh son of Late Kedar Singh
5. Sugan Paswan son of Prithwi Paswan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Ahmad Ali (App)
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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-05-2015 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 347, 348, 379 and 420/34 of the Indian Penal Code.

It is alleged that the complainant purchased a Swaraj tractor from petitioner no.1, Ajay Yadav for a consideration amount of ₹2,00,000/- out of which the complainant had to deposited ₹72,000/- to the Mahindra Finance Company through which the tractor was financed. The complainant paid ₹50,000/- to petitioner no.1 initially and subsequently paid ₹73,000/- and deposited ₹57,000/- to Mahindra Finance but neither the paper of

the tractor nor receiving of the amount was given to the complainant. It is further alleged that the accused persons took the signature of the complainant on blank non-judicial stamp paper and took away the tractor from the possession of the informant.

It is submitted by learned counsel for the petitioners that as per the agreement, the informant failed to deposit ₹72,000/- to the Mahindra Finance Company, hence the tractor was taken away.

Considering the accusation arising out of contractual nature of relationship between the parties, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur at Ara in connection with Agion (G) P.S. Case No. 155 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Learned counsel for the petitioners is permitted to make necessary correction in the petition.

(Dinesh Kumar Singh, J)

Amrendra/-

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