

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26021 of 2016

Arising Out of PS.Case No. -179 Year- 2008 Thana -KASIMBAZAR District- MUNGER

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1. Viveka Yadav
2. Bharat Yadav @ Bharat Bhusan Yadav Both son of Late Madhu Sudan
Yadav, Both residents of village- Heru Diara, Police Station- Kasim Bazar,
District- Munger.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Mukul Prasad, Advocate.

For the Opposite Party : Mr. Ajit Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 30-11-2016 Heard Shri Mukul Prasad, learned counsel for the
petitioners and learned APP for the State.

The petitioners apprehend their arrest in Kasim Bazar
P.S. Case No. 179 of 2008 registered for the offences punishable
under Section 379 of the Indian Penal Code.

On the basis of fardbeyan of Ram Bilas Yadav Kasim
Bazar P.S. Case No. 179 of 2008 was registered against unknown
for theft of his tractor bearing Registration No. BR-8/5121. The
police after investigation submitted final form finding the case true
but clueless, thereafter, the theft tractor was recovered from the
garage of Md. Yusuf. Md. Yusuf disclosed that both the
petitioners have kept the tractor in front of his garage for



repairing.

Shri Mukul Prasad, learned counsel for the petitioners submits that son of the informant Ram Bilas Yadav has been convicted in the murder of the brother of the petitioner in which one of the petitioner is the informant of the case but it appears from perusal of the record, that petitioner no. 1 has got as many as eight criminal cases pending against him and petitioner no. 2 has got as many as five criminal cases pending against him. The garage owner in paragraph-109 of the case diary very specifically stated that both the petitioners had brought the tractor for repairing in his garage. The tractor is stolen one and the tractor was released in favour of Ram Bilas Yadav, the informant.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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