

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41957 of 2017

Arising Out of PS.Case No. -2661 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Munna Kumar Singh S/o- Devendra Prasad Singh
2. Vishnu Kumar Singh S/o-Devendra Kumar Singh Both are R/o-
Vishnupur, Hariabhir, P.S. Korha, Distt. Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ainul Haque S/o- Abdul Dahey R/o Devi Nagar, P.S. K. Nagar, Srinagar
at Present owner of Amin Tractor, Shivpuri, Katihar, P.S. Muffasil, Katihar,
Distt- Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.
For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

7 15-12-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Complaint Case No. C.A. 2661 of 2013, disclosing
offences under Sections 420, 406/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted
that the petitioners, who are of clean antecedent, are innocent
and have not committed any offence. In fact, the alleged tractor
was purchased by the petitioners by paying Rs. 50000/- and
issued three cheques for realization of the rest amount to the
tune of Rs. 5,60,000/-. Further it has been submitted that parties



were agreed with the condition that the petitioners will repay the rest amount of tractor by the earnings of tractor but unfortunately, the tractor met with an accident and the therefore, the petitioners failed to pay the outstanding against the alleged tractor. Hence, the petitioners who are of clean antecedent deserve the privilege of anticipatory bail.

Learned counsel for the opposite party No.2 has vehemently opposed the prayer for bail and submitted that Rs. 500000/- is still outstanding with the petitioners and they are not ready to pay the same.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. Accordingly, the prayer for anticipatory bail of these petitioners is rejected.

(Arvind Srivastava, J)

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