

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28797 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -CHANDMANDI District- JAMUI

- =====
1. Chhoti Yadav
 2. Chunmun Yadav @ Chunchun Yadav Both sons of Parmeshwar Yadav, Both residents of village - Mogal Tand, Police Station - Chakai, District - Jamui.
 3. Naro Yadav
 4. Karu Yadav Both sons of Janki Yadav
 5. Kamdeo Yadav son of Khubi Yadav All residents of village - Banmunia, Police Station - Chandramandih, District - Jamui.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate
For the State : Mr. Pawan Kumar Chaurasiya, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 10-08-2017

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

2. The petitioners apprehend arrest in connection with
Chandramandih P.S. Case No. 12 of 2017 dated 11.02.2017 instituted
under Sections 394/395/392/307/366/387/34 of the Indian Penal Code



and 27 of the Arms Act.

3. The allegation against the petitioners and three others is of forcibly taking away the Tractor belonging to the informant and specifically against the father of petitioners no. 1 and 2 of putting pistol on the temporal region and snatching mobile and Rs. 3,0000/- cash by Pankaj Yadav, who is not the petitioner in the present application.

4. Learned counsel for the petitioners submitted that the father of petitioners no. 1 and 2 is the co-brother of the informant and he had also given money for purchase of the Tractor by the informant and the earning was to be shared, but the informant was not doing so and when the father of petitioners no. 1 and 2 went to ask him to share the earnings, they have been implicated in the false case. It was further submitted that for the same occurrence, counter case has also been lodged.

5. Learned A.P.P. submitted that the complaint case upon which the present F.I.R. has been lodged was 3 weeks prior to the filing of the complaint case by the father of petitioners no. 1 and 2 and furthermore, even if the defence story is true, they do not have any right to take the law in their own hands and behave in a highhandedness manner.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioners on anticipatory bail.

7. The application, accordingly, stands dismissed.

(Ahsanuddin Amanullah, J)

Anjani/-

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