

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68038 of 2018

Arising Out of PS. Case No.-270 Year-2018 Thana- BAGHA District- West Champaran

Uma Yadav, S/o- Suresh Yadav, resident of Village- Pakadga P.S.- Bagaha,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mrs. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2018 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offence punishable under Sections 379 of the IPC.

The prosecution case, as per the written report of Munna Sah, dated 11.06.2018, submitted to the Station House Officer, Bagaha (Pathkhauli) Police Station, is to the effect that the informant purchased a tractor from a private financial company, namely Magma Financer on 20.05.2018 and when the tractor was being driven by the driver of the informant then four persons, namely Prem Singh, Pappu Yadav, Vijay Sah and Ajay Ram, claiming to be the authorized agents of Magma Financer, took the possession of the tractor and when the informant contacted the said Financer, then the informant was conveyed that no such direction has been issued to anybody to seize the



tractor. Thereafter, the informant contacted co-accused Prem Singh, who conveyed that three persons were taking the tractor to the Financer company, but on the way, three persons, being the petitioner and his two brothers, namely, Harinarayan Yadav and Yogendra Yadav, forcefully took away the tractor.

It is submitted by learned counsel for the petitioner that in the background of a dispute with the Finance Company, the petitioner has maliciously been roped in the present case. Admittedly, as per the FIR, thrust of accusation is against the persons who actually snatched the tractor from the driver of the informant. Moreover, similarly situated accused persons, namely, Yogendra Yadav and Harinarayan Yadav have been granted privilege of anticipatory bail by two different co-ordinate Benches of this Court, vide Cr. Misc. Nos. 54825 and 51947 of 2018.

Learned APP submits that there is specific accusation against the petitioner.

Considering the fact that thrust of accusation is against four persons who snatched the tractor and similarly situated accused persons have been granted privilege of anticipatory bail, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the



learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM, Bagaha, West Champaran in connection with Bagaha (Pathkhauli) P.S. Case No. 270 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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