

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.58309 of 2018**

Arising Out of PS. Case No.-175 Year-2018 Thana- ARWAL District- Jehanabad

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Mahesh Singh Yadav @ Mahesh Singh, Son of Dilip Singh, resident of  
Village Bhagwan Bigha, P.S. & District- Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar.

2. Kashinath Pd. Vilage Muradpur Chauki, Baidrabad, P.S. and District Arwal

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s :

For the Opposite Party/s :

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**

**ORAL JUDGMENT**

**Date : 17-12-2018**

Heard learned counsel for the petitioner; learned  
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends arrest in connection  
with Arwal P.S. Case No. 175 of 2018 dated 14.06.2018  
instituted under Sections 406/420/323/504/34 of the Indian  
Penal Code.

3. The allegation against the petitioner is of assault  
of the informant and his son when they had gone to him to ask  
for payment of the dues amount of Rs. 52068/- which, according



to the informant, was due by the petitioner in lieu of jewellery earlier purchased on 03.07.2014.

4. Learned counsel for the petitioner submitted that there is no injury report and the entire allegation is false. It was further submitted that there is no dues against the petitioner and only to extort money, this false case has been instituted.

5. Learned A.P.P. and learned counsel for the informant submitted that the petitioner had dues of the amount for the last over four years and, thus, the informant and his son had gone to his place to ask for its return, where they were assaulted. It was submitted that there is signature in the register of the informant in which it is admitted that out of jewellery purchased of Rs. 224000/-, an amount of Rs. 52068/- was due to be paid and it was also written that if the same was not paid by 20.07.2014, it would carry interest at the rate of 5%. Learned counsel submitted that as the petitioner was not heeding to the request to make the payment, when they went to his place on 14.06.2018, the petitioner had assaulted them.

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 petitioner on anticipatory bail.



7. Accordingly, the application stands dismissed.

**(Ahsanuddin Amanullah, J)**

Anjani/-

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